

THE
TREATY
OF
PEACE,
CALLED THE
Pyrenæan Treaty,

Between the CROWNS of
FRANCE and *SPAIN*.

Concluded and Signed

By his Eminency Cardinal *Mazarin*

AND

Dom Lewis Mendez de Haro,

Plenipotentiaries of their most Christian and Catholick

MAJESTIES,

The Seventh of *November*, 1659.

*Printed in Paris by His Majesties Command, and now
faithfully rendred English.*

L O N D O N :

Printed for *T. Collins, J. Wright, T. Sawbridge, and M. Pitt,* 1678.

THE
TREATY

OF
PEACE

BETWEEN
THE KING OF GREAT BRITAIN

AND
THE KING OF SPAIN

By his Excellency Cardinal Macartney

AND
Don Luis Alvarado de Haza

MAINTAINED

The Seventh of November, 1763.

Printed by W. Johnston, at the Crown and Anchor, in St. Dunstons Church-yard, and by J. Smith, at the Golden Square, in Pall-mall.

LONDON:

Printed for T. Cadell, in Strand, and for J. Smith, in Pall-mall, 1763.

The Treaty of Peace between the Crowns of France and Spain, concluded and signed by his Eminency Cardinal Mazarin, and Dom Lewis Mendez de Haro, Plenipotentiaries of their most Christian and Catholick Majesties, in the Isle called of the Pheasants, in the River of Bidassoa, upon the Confines of the Pyrenæan Mountains, the seventh of November, 1659.

LEWIS BY THE GRACE OF GOD, KING OF FRANCE AND OF NAVARRA, To all those who shall see the present Letters, Greeting: Whereas, by vertue of the Powers respectively given by us, and the most High, most Excellent, and most Potent Prince the Catholick King of Spain, our most Dear and most Beloved good Brother and Uncle, unto our most Dear and most Beloved Cousen the Cardinal *Mazarin*; and to the Lord *Dom Lewis Mendez de Haro and Gusman*, they have in the Isle called of the *Pheasants*, in the River of *Bidassoa*, upon the Confines of both the Kingdoms, towards the *Pyrenæan Mountains*, the Seventh of the instant month of *November*, concluded, agreed and signed the Treaty of Peace and Reconciliation, the tenor whereof is as followeth.

IN THE NAME OF GOD THE CREATOR. To all present and to come, Be it known: That whereas a long and bloody War, hath many years since caused great miseries and oppressions to be suffered by the People, Kingdoms, Countries, and Dominions under the obedience of the most High, most Excellent, and most Potent Prince *Lewis the XIV.* by the Grace of God, most Christian King of *France and Navarra*; and of *Philip the IV.* by the Grace of God Catholick King of *Spain*: In which War, other Princes and Republicks, their Neighbours and Allies having also taken part, many Towns and Countries of both the parties have been exposed to great evils, miseries, ruines, and desolations: And although at other times, and by several ways, diverse Overtures and Negotiations for an accommodation, have been made; yet none of them, through the mysterious secrets of the Divine Providence,

could take the effect most earnestly desired by their Majesties, until at length that supreme God who hath in his hand the hearts of Kings, and hath particularly reserved to himself alone, the precious Gift of Peace, hath had the goodness, through his infinite Mercy, to inspire at the same time, both the Kings, and so to guide and direct them, that without any other interposition or motives, but the only one of compassion they have had of the sufferings of their Good Subjects, and of a Fatherly desire of their good and relief, and of the Peace of the whole Christendom, they have found the means how to put an end to so great and long calamities, to forget and extinguish the causes and the seeds of their divisions, and to settle to the glory of God, and the exaltation of our holy Catholick Faith, a good, sincere, entire and lasting Peace and Fraternity between them and their Successors, their Allyes and Dependants; By means whereof the damages and miseries suffered, might quickly be repaired in all parts, Which to attain unto, both the said Lords and Kings having given order unto the most eminent Lord *Messire Julius Mazzarin*, Cardinal of the holy Roman Church, Duke of *Mazaron*, Head of the most Christian Kings Councils, &c. and unto that most excellent Lord, the Lord *Dom Lewis Mendez de Haro* and *Gusman*, Marquis of *Caspiers*, Earl-Duke of *Olivares*, perpetual Governour of the Royal Palaces, and of the Arsenal or Magazine of the City of *Sevilla*, great Chancellor perpetual of the *Indias*, one of his Catholick Majesties Council of State, great Commander of the order of *Alcantara*, Gentleman of his Majesties Chamber, and Gentleman of his Horse, these two first and principal Ministers, to meet upon the Confines of both the Kingdoms, towards the *Pyrenean* Mountains, as being the two persons who are best informed of their holy intentions, of their Interests, and of the most intimate secrets of their hearts; and consequently the most able to find out the necessary expedients to end their differences; and to that end having given unto them most large Powers, the Copies whereof are inserted at the end of these presents, both the aforesaid principal Ministers, by vertue of their said powers, acknowledged on both sides, to be sufficient, have granted, established, and concluded the following Articles.

I. **FIRST**, it is concluded and agreed, that for the future, there shall be a good, firm and lasting Peace, confederation and perpetual alliance and amity between the most Christian and Catholick Kings, their Children borne and to be born, their Childrens Successors, and Heirs; their Kingdoms, Dominions, Countries and Subjects, who shall love one another as good Brethren, procuring with all their power the mutual good, honor and reputation one of the other, and shuning *bona fide*, as much as in them shall lye, the damage one of the other.

II. In consequence of that good re-union, the Cessation of all manner of Hostility, concluded and signed the eight day of *May* of this present year, shall continue according to its tenor, between the said Lords and Kings, their Subjects, Vassals, and Adherents, both by Sea and other Waters, and by Land, and generally in all places, where the War hath been hitherto between their Majesties. And if any new thing, or ways of Fact should hereafter be attempted by the Arms, or in any manner whatsoever, under the name of the Authority of either of the said Lords and Kings, to the prejudice of the others, the damages shall be presently repaired, and things put again in the same state, as they were in upon the eighth day of *May*, aforesaid.

as aforesaid, when the said suspension of Arms was agreed on, and subscribed, the tenor whereof ought to be observed until the publication of the Peace, *Blue ink, printed by order of the Council of State, 1678.*

III. And for hindering lest the differences, that might hereafter happen betwixt any Princes or Potentates in Alliance with the said Lords and Kings, be able to alter the good correspondency and amity between their Majesties, which every one of them is desirous to make so sure and lasting, that no accident may disturb the same, it hath been concluded and agreed, that in case hereafter any difference should arise betwixt their Allies, which might carry them to an open breach between themselves, neither of the said Lords and Kings shall assault or disturb by his Arms, the Ally of the other, nor shall give an assistance, publick or private, against the said Ally, without first, and afore all things, treating in the Court of the other King, by his Ambassador, or some other particular person, about the occasion of the said difference, hindring as much as in them shall lye, and by their authority, the taking up of Arms betwixt their said Allies; until either by the judgment of both the Kings, if their Allies will yield to their decision, or by their interposition and authority, they might have endeavoured an amicable composition of the said difference, so that every one of their Allies be satisfied with it; shunning on both sides, the taking up of Auxiliary Arms. After which, if the Authority of both the Kings or their Offices and interposition, cannot produce the accommodation, and the Allies do at last take the way of Arms, every one of the said Lords and Kings shall be free to assist his Allie with his Forces, without incurring thereby any breach betwixt their Majesties, or any alteration of their Amity: Each of the two Kings even promising in that case, that he will not suffer that his Arms, nor the Arms of his Allie should enter into any of the Dominions of the other King, there to commit any hostility; but that the quarrel shall be ended within the limits of the Dominion or Dominions of the Allies, that shall fight together; so that no warlike action, or any other done in that conformity, shall be deemed a breach of this present Treaty of Peace.

As likewise, whensoever any Prince or State in Alliance with either of the said Lords and Kings, shall be directly or indirectly assaulted by the Forces of the other King, in what he shall hold and be possessed of at the subscribing of the present Treaty, or what he ought to possess in consequence of it, it shall be lawful to the other King, to help or assist the assaulted Prince or State; and yet whatsoever shall be done in conformity to the present Article, by the Auxiliary Forces, whilst they shall be in the service of the assaulted Prince or State, shall not be deemed a breach of the present Treaty. And in case it should happen that either of the two Lords and Kings should be first assaulted, in what he now is possessed of, or ought to possess by virtue of the present Treaty, by any other Prince or State whatsoever, or by many Princes and States in League together, the other King shall not join his Forces to the said assaulting Prince or State, though otherwise his Ally, nor to the said League of the likewise assaulting Princes, or States, as aforesaid, nor shall give to the said Prince and State, or to the said League, any assistance of Men, Money, or Victuals, nor passage or retreat in his Dominions, to their Persons or Forces.

As for the Kingdoms, Princes and States, that are now in War with either of the said Lords and Kings; and could not be comprehended in the present Treaty of Peace; or that having been comprehended therein, would not accept of it; it hath been concluded and agreed, that the other King shall not have power, after the publication of the said Treaty, to give them, directly or indirectly, any manner of Assistance, of Men, Victuals or Money; much less to the Subjects that might hereafter rise or revolt against either of the said Lords and Kings.

IV. All occasions of enmity or misunderstanding, shall remain extinguished and for ever abolished: and whatsoever hath been done, or hath happened, upon occasion of the present Wars, or during the same, shall be put into perpetual oblivion: so that for the future, of neither side, neither directly nor indirectly, shall any inquiry be made for the same, by Justice, or otherwise, under any pretence whatsoever: nor shall their Majesties, or their Subjects, Servants; or Adherents, of either side, shew any manner of remembrance of any offences or damages suffered during the War.

V. By means of this Peace and strict amity the Subjects of both sides, whatsoever, shall have liberty, they observing the Laws and Customs of the Country, to go to and fro, to dwell, trade and return into one anothers Country, Merchandising or as they shall think best, both by Land and by Sea, or any other Fresh-waters, to treat and trade together: and the Subjects of the one shall be maintained and protected in the others Countreys, as their own Subjects, paying reasonably the Duties in all accustomed places, and such others, as by their Majesties and their Successors shall be imposed.

VI. The Towns, Subjects, Merchants, and Inhabitants of the Kingdoms, Dominions, Provinces, and Countreys belonging to the most Christian King, shall enjoy the same Privileges, Franchises, Liberties, and Sureties, in the Kingdom of Spain, and other Kingdoms and Dominions belonging to the Catholick King, as the *English* have by right enjoyed, by the last Treaties made between the two Crowns of Spain and England; and no greater Duties or Impositions shall be exacted of the *French* and other of the most Christian Kings Subjects, either in Spain, or any where else, within the Lands or other places of the Catholick Kings obedience, than have been paid by the *English* before the breach, or than are paid at this time, by the Inhabitants of the United Provinces of the *Netherlands*, or any other strangers that shall be there the more favourably intreated. The same shall be done, within the whole extent of the obedience of the said Lord the most Christian King, unto all the Subjects of the said Lord the Catholick King, of what Country or Nation soever they be.

VII. In consequence of this, if the *French* or any other of his most Christian Majesties Subjects, are found in the said Kingdoms of Spain, or upon the Coasts thereof, to have shipped, or caused to be shipped upon their Vessels, in what manner soever it may be, any prohibited goods, to transport them out of the said Kingdoms, the penalty shall not extend further than hath been heretofore practised, in such cases, towards the *English*; or than it is, at this time practised towards the *Hollanders*, in consequence of the Treaties made with England or the United Provinces: and all Inquiries or Processes hitherto made, about the same, shall remain null and be extinguished. The same shall be observed towards the Towns, Subjects and Inhabitants

parts of the Kingdoms and Islands belonging to the said Lord, the Catholick King, who shall enjoy the same privileges, Franchises, and Liberties, throughout all the Dominions of the said Lord the most Christian King.

VIII. All the French and other Subjects of the said Lord, the most Christian King, shall have liberty, freely and without any hindrance, to transport out of the said Kingdoms and Countries of the said Lord, the Catholick King, the proceed of the sale by them made of Corn within the said Kingdoms and Countries, after the same manner as they wanted to do afore the War: And the same shall be observed in France towards the Subjects of the said Lord, the Catholick King.

IX. Of neither side, shall the Merchants, Masters of Ships, Pilots, or Mariners, nor their Ships, Merchandises, Commodities or other Goods as them belonging, be arrested or seised on, either by vertue of any general or particular Mandate, or for any cause whatsoever of War, or otherwise; nor even under pretence of using them for the preservation and defence of the Country. And generally, nothing shall be taken from the Subjects of the said Lords and Kings, within the Lands of the obedience of the other, but with the consent of those to whom such things shall belong, and paying ready money what shall be desired of them. Yet it is not understood that therein should be comprehended such Seizures and Arrests of Justice, by the ordinary ways, because of Debts, Obligations, and valid Contracts of those, upon whom such Seizures shall be made; whereunto it shall be proceeded as it is wonted according to Right and Reason.

X. All the Subjects of the most Christian King, shall, with all security and liberty, sail And trade in all the Kingdoms, Countries and Dominions, which are or shall be at peace, amity, or neutrality with France (except Portugal only, with their Conquests and adjacent Countrys, whereof it is otherwise disposed by an Article of the present Treaty) and shall not be troubled or molested in that Liberty, by the Ships, Gallies, Frigates, Barks, or any other Sea-Buildings, belonging to the Catholick King, or any of his Subjects, because of the Hostilities that are or might be hereafter between the said Lord the Catholick King, and the aforesaid Kingdoms, Countries, and Dominions, or any of them, that are or shall be at Peace, Amity or Neutrality with France: Provided, that the exception made of Portugal, in this and following Articles, concerning the Commerce, shall only be in force, during the time the said Portugal shall remain in the condition it is at present: And that if it should happen that the said Portugal should be reduced under the obedience of his Catholick Majesty, the same should be then observed; as to the Cominered in the said Kingdom of Portugal, in regard to the French, as in other Dominions now possessed by his said Catholick Majesty, according to the contents of the present and following Articles.

XI. That transportation and that Traffick shall extend to all kinds of Merchandises and Commodities, which were wanted freely and securely to be transported into the said Kingdoms, Countries and Dominions, afore they were in war with Spain: Provided yet, that during the said War, the most Christian Kings Subjects shall abstain from carrying thither any Merchandises of the growth of the Catholick Kings Dominions, such as may be serviceable against him and his Dominions; much less shall they carry thither any Commodities Goods.

XII. By that kind of Contrabanda-Goods, are only understood all sorts of Fire-Arms, and all things belonging to them, as Canons, Muskets, Mortar-pieces, Perards, Bombs, Granadoes, Picche-circles, Carriages, Forts, Bandoliers, Gunpowder, Cords, Saltpeter, Bullets, Banners, Swords, Cutlasses, Headpeices, Colliars, Halberts, Javallins, Horfes, Saddels, for Horfes, Brackets for Pistols, Belts, or any other Warlike Furnitures.

XIII. That kind of Contrabanda-Goods, shall not be comprehended, Wheat, Oyle, or other Graines, Pulse, Oyles, Wines, Salt, nor generally any thing belonging to the nourishment and sustentation of life; But they shall remain free, as all other Merchandises and Commodities, nor comprehended in the foregoing Article; And the transportation of them shall be free, even to places in equality with the Crown of Spain, except Portugal as aforesaid; and the Towns and places besieged, blockt up, or surrounded.

XIV. For the execution of the Premises, it hath been agreed, that it shall be done in the manner following, viz. That the Ships and Barques with the Merchandises belonging to the Subjects of the Lord, the most Christian King, being come into any Haven of the Lord Catholick King, where they used to come and trade before the present War, and being willing from thence, to pass unto the Ports belonging to the said Enemies, they shall only be bound to shew to the Officers of the Spanish Port, or of any other of the said Lord and Kings Dominions, from whence they are to go, their Passes, containing the specification of the Goods of their Ships, and marked with the ordinary hand and seal, and acknowledged by the Officers of the Admiralty of the Place from whence they came first with the declaration of the place, for which they are bound; the whole in the ordinary and accustomed Form. After which exhibiting of their Passes, in the form aforesaid, they shall not be detained, nor detained, nor returned in their Voyages, under any pretence whatsoever.

XV. The same shall be done, as to the French Ships and Barques that shall go into any Roads of the Catholick Kings Dominion, where they used to trade before the present War, and shall be unwilling to enter into the Harbours, or being entred there, yet will not unlade or break Bulk; who shall not be obliged to give any account of their Lading, but only in case of suspicion, that they are carrying any contrabanda-Goods unto the Enemies of the said Lord the Catholick King, as aforesaid.

XVI. And in the said case of apparent suspicion, the said Subjects of the most Christian King, shall be obliged to shew in the Ports, their Passes, in the form above specified.

XVII. But if they be entred into the Roads, or be met in open Sea by any of the said Lord the Catholick Kings ships, or by private Men of War of his Subjects, the Spanish Ships, to avoid all kind of disorder, shall not come nearer to the French, than the reach of the Canon, and shall have power to send after Cock-Bots or Shallops, aboard the said French Ships or Barques, and take two or three of their men only to go into them; to whom shall the Passes be shew'd by the Master or Patron of the French Ship, in the manner aforesaid, according unto the Form that shall be devised at the end of this Treaty: whereby it might appear, not only of their Lading, but also of the place

place of their abode and residence, and of the name both of the Master and Patron, and of the ship it self: That by those two means, it may be known whether they carry any prohibited goods: and that it may sufficiently appear, both of the quality of the said ship, and of its Master and Patron; unto which Passes and Sea Letters, full Faith and Credit shall be given. And to the end their validity might be the better known, and that they might not in any wise be falsified and counterfeited, there shall be given in, certain marks and subscriptions of both the said Lords and Kings.

XVIII. And in case there be found in the said French vessels and barques by the means aforesaid, any Merchandizes and Commodities, before declared to be prohibited and contrabanda, the same shall be unladen, denounced and confiscated before the Judges of the Admiralty of Spain, or any other competent Judges; yet for all that, neither the Ship and Barque, nor any other of the lawful and permitted goods, Merchandizes and Commodities found therein; shall in any wise be seized on or confiscated.

XIX. It hath further been agreed and concluded, that whatsoever shall be found to have been laden by the Subjects of his most christian Majesty, aboard any ships belonging to the Enemies of the said Lord and Catholick King, although not contrabanda goods, shall be confiscated, together with all that shall be found in the said ship, without any exception or reservation: But, on the other side, whatsoever shall be found in the ships belonging to the Subjects of the most Christian King, shall be free and freed, although the lading, or part thereof should belong to the Enemies of the said Lord the Catholick King, except the prohibited goods; in regard whereof they shall carry themselves according to what hath been disposed in the foregoing Articles.

XX. All the Subjects of the said Lord the Catholick King, shall mutually enjoy the same Rights, Liberties and Immunities in their trade and commerce, within the Ports, Roads, Seas and Dominions of his most Christian Majesty. And what hath been aforesaid, that the Subjects of the said Lord, the most Christian King, shall enjoy in his Catholick Majesties Ports, or in open Sea, ought to be understood, that the equality shall be mutual, in all manner, on both sides, even in case hereafter the said Lord the Catholick King, should happen to be at peace, amity and neutrality with any Kings, Princes and States, that should become the Enemies of the said Lord the most Christian King; each of both the parties being mutually to use the same conditions and restrictions expressed in the Articles of the present Treaty, concerning the Trade and Commerce.

XXI. In case of either side there happens any contravention to the said Articles, touching the Commerce, by the Officers of the Admiralty of either of the two Lords and Kings, or any other person whatsoever, the complaint thereof being addressed by the interested Parties, unto their Majesties themselves or their Councils for the Navy, their said Majesties shall presently cause the damage to be repaired, and all things to be executed in the manner aforesaid. And in case, in progress of times, any frauds or inconveniences should be discovered touching the said Commerce and Navigation, nor sufficiently provided against by the aforesaid Articles, new ones shall be added thereto, of such other precautions, as shall be thought convenient on both parts: The present Treaty remaining yet, in the mean while, in its force and vigor.

XXII. All Goods and Merchandises arrested in either of the Kingdoms,

upon the Subjects of the said Lords and Kings, at the time of the Declaration of War, shall be uprightly, and *bonâ fide* restored to the Owners; in case they be found *in esse*, at the day of the publication of the present Treaty. And all Debts contracted before the War, which upon the said day of the publication of the present Treaty, shall be found not to have been actually paid unto others, by virtue of Judgments given upon Letters of Confiscation or Reprisal, shall be *bonâ fide* acquitted and paid: And upon the demands and pursuits that shall be made about them, the said Lords and Kings shall give order unto their Officers, to render as good and speedy Justice unto the Forcainers, as unto their own Subjects, without any distinction of persons.

XXIII. The actions that have been heretofore, or shall hereafter be intended before the Officers of the said Lords and Kings for Prises, Spoils, and Reprisals against such as are not Subjects to the Prince, in whose jurisdiction the said actions shall have been intended or begun, shall, without any difficulty, be returned before the Officers of the Prince, whose Subjects the Defendants shall be.

XXIV. And the better to secure, for the future, the Commerce and Amity between the Subjects of the said Lords and Kings, for the greater advantage and commodity of their Kingdoms, it hath been concluded and agreed, That there hapning hereafter any breach between the two Crowns (which God forbid) six months time shall alwaies be given to the Subjects on both sides, to retire and transport their persons and goods, where they shall please: Which they shall be permitted to do, with all liberty, without any hinderance; and during that time, there shall be no seizure made of their said goods, much less their persons arrested.

XXV. The Inhabitants and Subjects of either side, shall every where within the Lands of the obedience of the said Lords and Kings, make use of such Advocates, Proctors, Notaries, and Solicitors as they shall please; whereunto also, they shall be committed by the ordinary Judges, when need shall be, and when the said Judges shall be desired so to do. And it shall be lawful to the said Subjects and Inhabitants of both sides, to keep in the places of their abode, the Books of their trade and correspondence, in such a Language as they shall like best, either French, Spanish, Flemish, or any other, without falling thereby into any molestation or trouble.

XXVI. The said Lords and Kings shall have power, for the commodity of their Subjects trading in one anothers Kingdoms and Dominions, to settle some Consuls of the same Nation of their said Subjects, who shall enjoy the Rights, Liberties, and immunities belonging to their exercise and employment: And that the establishments shall be made in such places, where with a mutual consent it shall be thought necessary.

XXVII. All Letters of Mart and Reprisals that may have been formerly granted, for what cause soever, shall be suspended; and none shall be granted hereafter by either of the said Lords and Kings, to the prejudice of the Subjects of the other, unless in case of a manifest denial of Justice onely; whereof, and of the Summons made about the same, such as shall sue for the said Letters, shall be bound to bring good proofs according to the form and manner required by the Law.

XXVIII. All the Subjects of both sides, both Ecclesiastical and Secular, shall be restored to their Goods, Honours and Dignities, and to the enjoyment of such

such Benefices as they were invested with afore the War, either by Death or Resignation; either by way of coadjutorship or otherwise. In which re-establishment into Goods, Honours and Dignities, are namely understood to be comprehended all the Napolitan Subjects of the said Lord, the Catholick King, except only the Charges, Offices and Governments, they were possessed of. And it shall not be lawful for either side, to refuse to place, or to hinder the taking of possession to any of those who have been invested with Prebends, Benefices, or Ecclesiastical Dignities afore that time; nor to maintain therein such as have obtained any other Provisions of the same, during the war; unless it be for the Curates canonically provided, who shall remain in the enjoyment of their Parsonages. Both the one and the other shall likewise be restored to the enjoyment of all and every one of their Goods, Unmoveables, and Rents, either perpetual, or during life, or to be redeemed, seised on or taken from them since that time, either upon the occasion of the War, or for following the contrary part; together with all their rights, actions and successions to them accruing even since the beginning of the War; yet so, that they shall not demand or pretend any fruits or revenues received since the seizures made of the said Goods, Immoveables, Rents and Benefices, until the day of the publication of the present Treaty.

XXIX. Nor likewise make any demand of such debts, goods and moveables, as have been confiscated afore the said day: So that the creditors of the said debts, nor the depositaries of such goods, nor their Heirs or Assigns, shall never be admitted to prosecute or pretend the recovery of them. Which re-establishments, in the aforesaid form, shall extend to those who have followed the contrary part; so that, by means of the present Treaty, they shall be restored to their King and Sovereign Princes Grace, as also to their Goods, such as shall be found extant upon the conclusion and subscribing of the present Treaty.

XXX. And the said re-establishment of the said Subjects on both sides, shall be made according to the tenor of the XXVIII Article aforesgoing, notwithstanding any Donations, Concessions, Declarations, Confiscations committed, Sentences preparatory or definitive, given by contumacy in the absence of the Parties, and without hearing of them: Which Sentences and all Judgments shall be void and of none effect, and as not given or hapned, with full & entire liberty to the said Parties, to return into the Countries from whence they had formerly retired themselves, to enjoy in person their goods, unmoveables, rents and revenues, or to settle their abode out of the said Countries, in such places as they shall think best, it remaining in their choice and election; so that, in that respect, no manner of compulsion shall be used against them. And in case they rather chuse to inhabit elsewhere, they shall have power to depure and appoint such persons, not suspected, as they shall think best, for the Government and enjoying of their goods, rents and revenues, but not of such Benefices as require a Residency, which ought personally to be administered and served. Yet so, that the liberty of a personal sojourning mentioned in this Article, shall not extend it self to those, of whom it is otherwise disposed, by any other Article of the present Treaty.

XXXI. Such as shall have been provided on either side with benefices being of the Collation, Presentation, or any other disposition of the said Lord,

and Kings, or any other, either Ecclesiastical or Lay persons, or such as shall have obtained provisions from the Pope, of any other Benefices situate within the obedience of either of the said Lords and Kings, by whose consent and permission, they shall have enjoyed the same during the War, shall remain in the possession and enjoyment of the said Benefices during their lives, as being well and duly provided. Yet so, that thereby no prejudice is intended for the future, to the right of the lawful Collators, who shall enjoy and use the same, as they were wonted to do afore the War.

XXXII. All Prelates, Abbots, Priors, and other Ecclesiastical persons, that have been nominated to their Benefices, or promoted to the same by the said Lords and Kings, before the War, ordering the same, and whereunto their Majesties were in possession to provide and nominate, afore the breach between the two Crowns, shall be maintained in the possession and enjoyment of the said Benefices; and shall not be molested therein, for any cause or pretence whatsoever; as also in the free enjoyment of all the Goods that shall be found to have belonged to the same of old, and in the right of conferring the Benefices depending of the same, in what place soever the said Goods and Benefices be found situate. Provided yet, that the said Benefices be filled with able persons, having the requisite Qualifications, according to the Reglements observed before the War: And for the future, it shall not be lawful, of either side, to send any Administrators to govern the said Benefices, and enjoy the fruits thereof, which shall not be received but by the Titulars only, lawfully provided unto the same; as also all places that have formerly acknowledged the jurisdiction of the said Prelates, Abbots and Priors, in what part soever they be situate, shall likewise acknowledg the same for the Future. Provided their right appears to have been settled of old; although the said places should be found within the extent of the Dominions of the contrary Party, or depending of some Chastellenies or Bayliwicks belonging to the contrary party.

XXXIII. And to the end, this Peace and Union, Condeferation and good correspondency, might, as it is desired, be so much the more firm, lasting and undissoluble, both the said principal Ministers, the Cardinal Duke, and the Marquis Earl Duke, by vertue of the special Power they have had, for that end, of the two Lords and Kings, have concluded and agreed, in their names, the marriage of the most Christian King with the Serenissime Infanta the Lady Maria Theresa, eldest Daughter to the Catholick King, and the same day, bearing the date of these presents, have made and subscribed a particular Treaty, whereupon they refer themselves, touching the mutual conditions of the said Marriage, and the time of its celebration; which Treaty by it self, and Capitulation of Marriage, are of the same force and vigor with the present Treaty of Peace, as being the chiefest part thereof, and the most worthy, as well as the greatest and the most precious earnest of the surety of its duration.

XXXIV. Because the length of time, and the difficulties that would have met in case the several rights and pretensions of the said Lords and Kings, should have been put to a particular discussion, might have much retarded the conclusion of this Treaty, and put off the good that whole Christendom doth expect and will receive by it; it hath been concluded and agreed, in consideration of the Peace, touching the retention and restitution of the Conquests made during the present War, that all the differences of the said

Lords.

Lords and Kings, shall be ended and composed, after the manner following.

XXXV. *Inprimis*, It hath been concluded and agreed, concerning the Low Countreys, that the Lord the most Christian King shall remain seized, and shall effectually enjoy the Places, Towns, Countreys and Castles, Dominions, Lands and Lordships following,

First, Within the County of *Artois*, the Town and City of *Arras*, and the Government and Bailiwick thereof; *Hesdin* and the Bailiwick thereof; *Bapaume* and the Bailiwick thereof; *Bethune* and the Government or Bailiwick thereof; *Lillers* and the Bailiwick thereof; *Lent* and the Bailiwick thereof; the County of *St. Pol*; *Terroane* and the Bailiwick thereof; *de Pas* and the Bailiwick thereof; as also all the other Bailiwicks and Chastellenies of the said *Artois*, whatsoever they be, although not here particularly named and mentioned, except only the Towns, Bailiwicks and Chastellenies or Governments of *Ayre* and *St. Omer*, with their Appurtenances, Dependences and Annexes, which shall remain all unto his Catholick Majesty: as also the place of *Renty*, in case it be found to be of the said Dependences of *Ayre* or *St. Omer*, and not otherwise.

XXXVI. Secondly, within the Province and County of *Flanders*, the said Lord the most Christian King shall remain seized, and shall effectually enjoy the places of *Graveling*, the Forts *Philip*, of the *Sluce*, and *Hannuin Bourbourg* and the Chastelleny thereof; and *St. Venant*, whether it belongs to *Flanders*, or to *Artois*, and their Dominions, Appurtenances, Dependences and Annexes.

XXXVII. Thirdly, within the Province and County of *Hainaut*, the said Lord the most Christian King shall remain seized, and shall effectually enjoy the places of *Landrecy* and *Quesnoy*, and their Bailiwicks, Provostships, or Chastellenies, Dominions, Appurtenances and Dependences.

XXXVIII. Fourthly, within the Province and Duchy of *Luxembourg*, the said Lord the most Christian King, shall remain seized, and shall effectually enjoy the places of *Thionville*, *Montmedy* and *Damvilliers*, their Appurtenances, Dependences and Annexes, Provostships and Lordships: the Provostship of *Ivoy*, *Chavancy*, *Chasteau* and the Provostship thereof; and the place and Post of *Marville* situate upon the small River called *Vexin*, and the Provostship of the said *Marville*; which place and Provostship did formerly belong, partly unto the Duke of *Luxembourg*, and partly unto the Dukes of *Bar*.

XXXIX. Fifthly, His most Christian Majesty having strongly declared that he could never consent to the restitution of the places of *la Bassée*, and *Bergh St. Winox*, Chastelleny of the said *Bergh*, and the Royal Fort erected upon the Chancel, hard by the Town of *Bergh*; and his Catholick Majesty having condescended that they should remain to the *French*, unless an exchange of the said places, with others of the like consideration and mutual conveniences could be agreed upon, both the said Lords Plenipotentiaries, have at last agreed that the said two places of *la Bassée* and *Bergh St. Winox*, the Chastelleny and Royal Fort of the said *Bergh*, should be exchanged with the places of *Mariebours* and *Philippeville*, situate on the Rivers *Sambre* and *Maes*, their Appurtenances, Dependences, Annexes and Dominions: And therefore his said most Christian Majesty restoring, as it will be said hereafter, unto his Catholick Majesty, the said places of *la Bassée* *Bergh*.

Bergh-St-Wynox and the Chastelleny thereof, and the Royal Fort, with their Appurtenances, Dependences, Annexes and Dominions, his Catholick Majesty shall at the same time put into the hands of his most Christian Majesty, the said places of *Mariembourg* and *Philippeville*, his said most Christian Majesty to remain seised of them, and effectually enjoy them, and their Appurtenances, Dependences, Annexes, and Dominions, in the same manner, and with the same rights of possession, sovereignty, and others which his Majesty shall enjoy, or may enjoy, by the present Treaty, in such places, as have been gained by his Arms during the War, and which are to remain unto him by this Peace. And even in case hereafter, his most Christian Majesty should happen to be troubled in the possession and enjoyment of the said places of *Mariembourg* and *Philippeville*, by reason of the pretensions of other Princes, his Catholick Majesty doth bind himself to concur to their defence, and to do on his part whatsoever shall be necessary, that his most Christian Majesty might peaceably, and without dispute enjoy the said places, in consideration of that his Majesty hath yielded in exchange the said *la Bassée* and *Bergh-St-Wynox*, which his most Christian Majesty might have kept and possessed without trouble, and with all security.

XL. Sixthly, His Catholick Majesty, for certain considerations hereafter particularly expressed in another Article of the present Treaty, doth promise & oblige himself to put into the hands of his most Christian Majesty the town and place of *Avesnes*, situate between the *Sambre* and the *Maes*, with the appurtenances, dependences, annexes and dominions thereof, with all the Artillery and warlike ammunitions that are therein now, to remain to his said most Christian Majesty seised of the said place of *Avesnes*, and effectually to enjoy the same, and the said appurtenances, dependences, annexes and dominions, after the same manner, and with the same right of possession, sovereignty and other things, which his Catholick Majesty doth now enjoy there. And because it hath been reported, that within the said place of *Avesnes*, and the appurtenances, dependences, annexes and dominions thereof, the ordinary jurisdiction, the Rents and other profits do belong to the Prince of *Chimay*, it hath been declared and agreed between the said Lords and Kings, that whatsoever is contained within the walls and fortifications of the said place, shall remain to his most Christian Majesty; so that the said Prince shall have no kind of right, rent, or jurisdiction within the said walls and fortifications; it being only reserved unto him to keep whatsoever in time past did belong to him out of the said place, in the Villages, Countreys and Forrefts of the said dependence of *Avesnes* in the same manner as he hath hitherto possessed the same, provided also, as hath been said before, that the sovereignty and the high dominion of the said Villages, Countreys and Forrefts of the said dependence of *Avesnes*, shall belong and remain to his most Christian Majesty; the said Lord the Catholick King having taken upon himself to indemnify the said Prince of *Chimay* for the interest he may have in what is taken from him by the present Treaty within the precincts of the said place as aforesaid.

XLI. The said places of *Arras*, *Hesdin*, *St-Omer*, and the Towns of *Lillers*, *Lens*, County of *St. Pol*, *Trocham*, *St. Amand*, *St. Vast*, *St. Eloi*, as also all the other Bailiwicks and Chastellenies of *Artois*, except only aforesaid the Towns and Bailiwicks of *Ayre* & *St. Omer*, their appurtenances, dependences, annexes and dominions, as also *Renty*, in case it be not found to be any of the de-

dependences of *Ayre* or of *St. Omer*; together with the places of *Graveling*, and the *Forts Philip*, the *Sluce* and *Hannuin*, *Bourbourg* and *St. Venant*, in *Flanders*; the places of *Landrecy* and *Quesnoy*, in the *Haynaut*; as also those of *Aoennes*, *Mariembourg* and *Philippeville*, which are to be put in the hands of the most Christian King, as aforesaid: And likewise the places of *Thionville*, *Montmedi*, and *Danvillers*, the Town and Provostship of *Ivoy*, *Chavency*, *Chasteau* and the Provostship thereof, and *Marville*, in *Luxembourg*, their Bailiwicks, Chastellenies, Governments, Provostships, Territories, Dominions, Lordships, Appurtenances, Dependences and Annexes, shall remain, by the present Treaty of Peace, unto the said Lord the most Christian King, and to his Successors and Assigns, irrevocably & for ever; and with the same rights of sovereignty, propriety, regality, patronage, wardianship, jurisdiction, nomination, prerogatives and preeminences upon the Bishopricks, Cathedral Churches, & other Abbeys, Priors, Dignities, Parsonages, or any other Benefices whatsoever, being within the limits of the said Countreys, places & Bailiwicks so yielded, of whatsoever Abbies the said Priors may hold and depend, and all other rights formerly belonging to the said Lord the Catholick King, though not particularly related here. And his most Christian Majesty shall never hereafter be troubled nor molested by any way whatsoever, either of right or of fact, by the said Lord the Catholick King, his Successors, or any Prince of his house, or any other whatsoever, under any pretence or occasion that may happen, in the said sovereignty, propriety, jurisdiction, prerogative, possession and enjoyment of all the said Countreys, Towns, Places, Castles, Lands, Lordships, Provostships, Dominions, Chastellenies and Bailiwicks; and of all the places, and other things depending of them. And for that effect, the said Lord the Catholick King, for himself and for his Heirs, Successors and Assigns, doth renounce unto, quit, yield and transport, as his Plenipotentiary in his name by the present irrevocable Treaty of Peace, hath renounced to, quitted, yielded and for ever transported, in the behalf and to the benefit of the said Lord the most Christian King, his Heirs, Successors and Assigns, all the rights, actions, pretensions, regalities, patronage, wardianship, jurisdiction, nomination, prerogatives and preeminences upon the Bishopricks, Cathedral Churches, and other Abbeys, Priors, Dignities, Parsonages, and any other Benefices whatsoever within the precincts of the said Countreys, places, and Bailiwicks so yielded, of what Abbies soever the said Priors do hold or depend: And generally, without retaining or reserving any thing, all other rights which the said Lord the Catholick King, or his Heirs and Successors have and pretend, or may have and pretend for what cause & occasion soever, upon the said Countreys, places, Castles, Forts, Lands, Lordships, Dominions, Chastellenies and Bailiwicks, and upon all the places depending of them as aforesaid: Which together with all the Men, Vassals, Subjects, Boroughs, Villages, Hamlets, Forests, Lands, and other things whatsoever depending of them, without keeping or reserving any thing, the said Lord the Catholick King, both for himself and for his Successors, doth consent to be from this time forth and for ever united and incorporated to the Crown of France; all Edicts, Customs, Statutes & Constitutions made to the contrary, even such as may have been confirmed by Oath, in any wise notwithstanding: To which, and to all clauses derogatory to former derogatory clauses, it is expressly derogated by the present Treaty, for the effect of the said renunciations and cessions; which shall be

valid

valid and shall take place, the particular expression or specification not derogating to the general, nor the general to the particular, and excluding for ever all exceptions, upon what right, title, cause or pretence soever they may be grounded. And the said Lord the Catholick King doth declare, consent, will and understand, that the men, vassals and subjects of the said countries, towns and lands, yielded to the Crown of *France* as aforesaid, be and remain quitted and absolved from henceforth and for ever of the faith, homage, service and oath of fidelity, they, all, or any of them may have done to him; or to his predecessors the Catholick Kings; and withall of all obedience, subjection and vassallage which they for that cause might owe unto him. The said Lord the Catholick King willing that the said faith and homage, and oath of fidelity become and remain void and of none effect, as if they had never been taken.

XLII. And as concerning the countries and places taken by the Arms of *France*, during this War towards *Spain*: As it had been formerly agreed by the Negotiation begun in *Madrid*, in the year 1656. upon which this present Treaty is grounded, that the Pyrenean Mountains, which antiently had divided the *Gauls* from *Spain*, should also make henceforth the division of both the said Kingdoms. It hath been concluded and agreed, that the Lord, the most Christian King, shall remain in possession, and shall effectually enjoy the whole County and Viquery of *Roussillon*, and the County and Viquery of *Conflans*, the countries, towns, places, castles, burroughs, villages and places, which make up the said Counties and Viqueries of *Roussillon* and *Conflans*: And to the Lord, the Catholick King, shall remain the County and Viquery of *Cerdana*, and the whole principality of *Catalonia*, with the Viqueries, places, towns, castles, burroughs, hamlets, places and countries, that make up the said County of *Cardena*, and the principality of *Catalonia*. Provided, that if there be found any place of the County and Viquery of *Conflans* onely, and not of *Roussillon*, that be in the said Pyrenean Mountains toward *Spain*, it shall likewise remain to the Catholick Majesty: As likewise, if any place be found of the said County and Viquery of *Cardena* onely, and not of *Catalonia*, that be in the said Pyrenean Mountains towards *France*, it shall remain to his most Christian Majesty. And that the said division might be concluded, commissioners shall be presently appointed on both sides, who shall together *bonâ fide*, declare which are the Pyrenean Mountains, which according to the tenor of this Article, ought hereafter to divide both Kingdoms, and shall mark the limits they ought to have: And the said Commissioners shall meet upon the place at the furthest, a month after the subscribing of the present Treaty, and within the space of another month after, ought to have concluded the matter, and declared, with common consent, the premises. Provided, that if then they cannot agree among themselves concerning it, they shall presently send the grounds of their opinions to the two Plenipotentiaries of both the Lords and Kings, who taking notice of the difficulties and differences happened thereupon, shall conclude the business betwixt them: So that it shall not be suffered, that Arms be taken up again about the same.

XLIII. The whole County and Viquery of *Roussillon*, County and Viquery of *Conflans*, except the places that shall be found to be situate in the Pyrenean Mountains towards *Spain*, in the manner aforesaid, according to the Declaration

tion and Agreement of the Commissioners that are to be appointed for that purpose; as also that part of the county of *Cerdana*, that shall be found situate in the Pyrenean Mountains towards *France*, according unto the same Declaration of the commissioners, the countries, towns, places, castles, that make up the Vigueries of *Roussillon* and *Conflans*, and part of the county of *Cerdana*, in the manner aforesaid, Appurtenances, Dependences, and Annexes, with all the Men, Vassals, Subjects, Burroughs, Villages, Hamlets, Forests, Rivers, Lands, and any other things whatsoever depending of them, shall remain irrevocably, and for ever, by the present Treaty, united and incorporated to the crown of *France*, to enjoy the same by the said Lord, the most Christian King, his Heirs, Successors and Assigns, with the same Rights of Sovereignty, Propriety, Regalities, Patronage, Jurisdiction, Nomination, Prerogatives, and Preheminences, upon the Bishopricks, Cathedral Churches, and other Abbeyes, Priories, Dignities, Parsonages, or any other Benefices whatsoever, being within the limits of the said county of *Roussillon*, Viguary of *Conflans*, and part of the county of *Cerdana*, in the manner aforesaid (except, as to *Conflans*, what shall be found to be in the Pyrenean Mountains towards *Spain*) of whatsoever Abbeyes the said Priories be holding and depending; and all such other Rights formerly belonging to the said Lord, the Catholick King, though not here particularly mentioned: And that his most Christian Majesty shall never, hereafter, be troubled or molested by any way whatsoever, either of Right or of Fact, by the said Lord, the Catholick King, his Successors, or any Prince of his House, or by any other whatsoever, or under any pretence or occasion that might happen in the said Sovereignty, Propriety, Jurisdiction, Power, possession and enjoyment of all the said countries, towns, places, castles, lands, Lordships, Dominions and Bailiwicks: And withal, of all the places and other things whatsoever, depending of the said county of *Roussillon*, Viguary of *Conflans*, and part of the county of *Cerdana*, in the manner aforesaid (except, as to *Conflans*, what shall be found to be in the Pyrenean Mountains towards *Spain*.) And for that end, the said Lord the Catholick King, both for Himself, and his Heirs, Successors, and Assigns, doth renounce unto, quit, yield and transport, as his Plenipotentiaries, in his name by the present Treaty of Peace, irrevocable, hath renounced to, quitted, yielded and transported, perpetually, and for ever, in the behalf, and to the benefit of the said Lord, the most Christian King, his Heirs, Successors, and Assigns, all the Rights, Actions, Pretensions, Regalities, Patronage, Jurisdiction, Nomination, Prerogatives, and Preheminences upon the Bishopricks, Cathedral Churches, and other Abbeyes, Priories, Dignities, Parsonages, or any Benefices whatsoever, being within the limits of the said County of *Roussillon*, Viguary of *Conflans*, and part of the county of *Cerdana*, in the manner aforesaid (except as to *Conflans*, what shall be found to be in the Pyrenean Mountains towards *Spain*) of what Abbeyes soever the said Priories be depending: And generally all other Rights, without keeping or reserving any thing, which the said Lord the Catholick King, or his said Heirs and Successors, have and pretend, or may have and pretend, for what cause and occasion soever, upon the said county of *Roussillon*, Viguary of *Conflans*, and part of the county of *Cerdana*, in the manner aforesaid, (except as to *Conflans*, what shall be found to be in the Pyrenean Mountains towards *Spain*) and upon all the places depending of them as aforesaid; which together with the Men, Vassals,

Subjects, Burroughs, Villages, Hamblets, Forests, Rivers, Lands, and other things whatsoever depending of them, without keeping or reserving any thing, the said Lord the Catholick King, both for himself, and for his Successors, doth from henceforth and for ever consent, to be united and incorporated to the Crown of France: All Laws, Customs, Statutes, Constitutions, and Conventions made contrary thereunto, even such as may have been confirmed by Oath, in any wise notwithstanding: To which, and to the Clauses derogatory of any other derogatory Clauses, it is expressly derogated by the present Treaty, for the effect of the said renunciations and cessions, which shall be valid, and shall take place, the particular expression or specification not derogating to the general, nor the general to the particular: Excluding for ever, all exceptions, upon what Rights and Titles, causes, or pretences soever the same may be grounded; and namely, that that might hereafter be pretended, that the separation of the County of *Roussillon*, Viguery of *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid, (except as to *Conflans*, what shall be found to be in the Pyrenean Mountains towards *Spain*) and of their Appurtenances and Dependences, should be against the Constitutions of the Principality of *Catalonia*; and that therefore the said separation cannot have been resolved nor concluded, without the express consent of all the people assembled in their General Estates: And the said Lord the Catholick King, doth declare, will and intend, that the said Men, Vassals, Subjects of the said County of *Roussillon*, Viguery of *Conflans*, and part of the County of *Cerdana*, in the manner aforesaid, (except as to *Conflans*, what shall be found to be in the Pyrenean Mountains towards *Spain*) their Appurtenances and Dependences, be and remain quitted and absolved, from henceforth and for ever, of the Faith, Homages, Service, and Oath of Fidelity, all and every of them, may have made unto him, and to his Predecessors the Catholick Kings; and withal of all obedience, subjection, and vassalage, which therefore they might owe unto him: Willing that the said Faith, Homage, and Oath of Fidelity, remain void and of none effect, as if they had never been done or taken.

XLIV. The said Lord the Catholick King, shall re-enter into the possession and enjoyment of the County of *Cartôlois*, to enjoy it by him and his Successors, fully and peaceably, and hold the same under the Sovereignty of the most Christian King, as he held it afore the present War.

XLV. The said Lord the most Christian King, shall restore to the said Lord the Catholick King, in the Low-Countries, the Towns and Places of *Yperen*, *Oudenard*, *Dixmude*, *Furnes*, with the fortified Posts of *La Fintelte*, and *La Quoynogue*, *Merville* upon the River of *Lys*, *Menene*, and *Comines*, their Appurtenances Dependences; and Annexes. As also his most Christian Majesty shall put again into the hands of his Catholick Majesty the places of *Bergb*, *St. Wynox*, and its Royal Fort, and the place of *La Bassée*, by way of exchange for the places of *Marientburgh* and *Philippeville*, as hath been said in the XXXIX Article.

XLVI. Secondly, The said Lord the most Christian King, shall restore in *Italy*, unto the said Lord the Catholick King, the places of *Valence* upon the *Po*, and of *Mortara*, their Appurtenances, Dependences and Annexes.

XLVII. Thirdly, In the County of *Burgundy*, the said Lord the most Christian King, shall restore unto the said Lord the Catholick King, the Places and
 Ports

Ports of *St. Amour*, *Beaurevoir* and *Joux*, and their appurtenances, dependences and annexes, and all the other Ports, fortified or not fortified, which the Armies of his most Christian Majesty have taken in the said County of *Burgundy*, without keeping or reserving any thing.

XLVIII. Fourthly, towards *Spain*, the said Lord the most Christian King, shall restore to the Catholick King, the places and Ports of *Roses*, the Fort of the *Trinity*, *Cap-de Quers*, *La Sâau d' Urgel*, *Toxen*, the Castle of *La Bastide*, the Town and place of *Baga*, the Town and place of *Ripol*, and the County of *Cerdania*, wherein are *Débar*, *Pulcerda*, *Carol*, and the Castle of *Cerdania* in such a condition as they be now, with all the Castles, Ports, fortified or not fortified Towns, Boroughs, Villages, and other places, appurtenances, dependences and annexes, belonging to the said places of *Roses*, *Cap-de Quers*, *Seau d' Urgel*, and County of *Cerdania*, although not named nor specified here: Provided, that if any of the said Ports, Towns, places and Castles aforesaid, should be found to be in the Viguerie of *Cerdania*, in the *Pyrænean Mountains* towards *France*, they shall remain to his most Christian Majesty: according unto, and by virtue of the 44 Article of the present Treaty, any thing in the present Article contained, notwithstanding; whereunto in that case, and in that respect it is derogated.

XLIX. The the said Lord the Catholick King, shall restore unto the Lord the most Christian King, the Towns and places of *Recroy*, *Le Cuslet*, and *Linchamp*, with their appurtenances, dependences and annexes; so that for any reason, cause, or excuse whatsoever, foreseen or not foreseen, even this, that the said places of *Recroy*, *Le Cuslet*, and *Linchamp*, are at this present in the power, and in other hands, than of his Catholick Majesty, he shall not be dispensed of the said restitution of those three places, to the said Lord the most Christian King; His said Catholick Majesty engaging and taking upon himself the real and faithful execution of the present Article.

L. The respective restitution of the said places, as it is aforesaid in the five next foregoing Articles, shall be made by the said Lords and Kings, or by their Ministers, really and *bond fide*, without any delay or difficulty, for what cause or occasion soever, unto such as shall be appointed by the said Lords and Kings respectively, within the time, and in the manner that shall be here under appointed, and in such condition, as the said places are at this time, without demolishing, weakening, imbezzeeling, diminishing or damnyfying any thing therein, in any wise; and without pretending or demanding any reimbursement for the fortifications made in the said places, nor for the payment of what might be due to the Soldiers and Garisons that are in them.

LI. The said Lords and Kings, in restoring of the said places respectively, shall have liberty to take and carry away all the Artillery, Powder, Bullets, Victuals or other warlike Ammunitions, that shall be in the said places, at the time of the restitution. Likewise, the Officers, Soldiers and others, that shall go out of the said places, shall have liberty to take and carry away the moveable goods, to them belonging; but it shall not be lawful to them, to exact any thing of the Inhabitants of the said places, nor of the Country people, nor to wrong their Houses, or carry away any thing belonging to the Inhabitants: As also the said Lords and Kings, shall be bound to pay unto the said Inhabitants of the places, from whence they shall withdraw their Arms, and

which they shall restore, all what may be justly due unto them by the said Lords and Kings, for things taken by the Governors of the said places, or other Ministers of the said Lords and Kings, to be employed to their services, whereof they shall have given Receipts or Bonds, to such as have furnished them with the same. As also the Officers and Soldiers of the said Garrisons shall be obliged to pay what they lawfully owe to the Inhabitants upon their Receipts or Bonds; Provided, that for the performing of that satisfaction to the Inhabitants, the yielding and restoring the said places be not retarded; but that the same be done, by the time and day that shall be agreed on and prescribed hereafter, in the other Articles of the present Treaty. The Creditors, in that case remaining in all the right of the just pretensions they may have.

LII. As the place of *Hesdin* and the Bailiwick thereof, ought, by the present Treaty of Peace, to remain to the most Christian King, as before hath been expressed, it hath been concluded and agreed, in consideration of the Offices of the said Lord the Catholick King, who had taken under his protection the Officers of War, or the Soldiers of the Garrison of the said *Hesdin*, who had revolted in that place, and had drawn themselves from the obedience of the said Lord the most Christian King, since the death of the Governor of the said place, that in conformity to the Articles, whereby the said Lords and Kings do pardon each of them, all such as have followed the contrary party, provided they be not found guilty of any other crimes, and do promise to settle them again in the possession and enjoyment of their goods: His most Christian Majesty shall cause his Letters of Amnity and Pardon to be dispatched, in good form, in the behalf of the said Officers of War, and Soldiers of the Garrison of the said *Hesdin*; which Letters being offered and put into the hands of the Commander of the place, upon the day designed and appointed between their Majesties, for the restitution of the said place, into the power of his most Christian Majesty, as shall be said hereafter upon the same day, and at the same time, the said Commander, Officers and Soldiers, shall be bound to go out of the said place, without any delay or excuse, under what pretence soever, foreseen or not foreseen, and to surrender the said place, in the same condition it was when they revolted, to the power of such as his most Christian Majesty shall commit for to receive it in his name; and that without altering, weakening, imbezelling, demolishing or damaging any thing, in any sort or manner whatsoever, in the said place: And in case the said Letters of Amnity and Pardon, being offered to the said Commander himself, or the other Officers and Soldiers of the said Garrison of *Hesdin* should refuse or delay, under what cause or pretence soever, to surrender the said place in the said condition, into the power of such as his said most Christian Majesty shall have appointed to receive it in his name; the said Commander, Officers and Soldiers shall forfeit the grace of Amnity and Pardon procured unto them by his Catholick Majesty, and his said Majesty shall make no further instance in their behalf; and in the same case his said Catholick Majesty doth promise, upon the word of a King, not to give, directly or indirectly, unto the said Commander, Officers and Souldiers, nor suffer to be given them, by any in his Dominions, any assistance of Men, Arms, Victuals, Warlike Ammunitions or Money: But to the contrary, shall assist with his Forces, in case he be desired, the said Lord the most Christian King, for the assaulding of the said place, that it

might the sooner be reduced to his obedience, and the present Treaty may the sooner have its full effect.

LIII. As the three places of *Avennes*, *Philippeville* and *Mariembourg*, with their Appurtenances, Dependences and Annexes, are yielded by the present Treaty, as aforesaid, unto the Lord the most Christian King, to be united and incorporated to the Crown of *France*, it hath been concluded and agreed, that in case between the said places and *France*, there be found any Boroughs, Villages, places or Lands, which not being of the said Appurtenances, Dependences or Annexes, ought to remain in the propriety and sovereignty of the said Lord the Catholick King, neither his said Catholick Majesty, nor the Kings his successors, shall have power at any time to fortifie the said Boroughs, Villages, Posts, or Countries, nor to make any new fortifications between the said places of *Avennes*, *Philippeville*, and *Mariembourg*, by means of which fortifications, the said places or any of them, might be cut off from *France*, or the communication between them disturbed: as likewise it hath been concluded and agreed, that in case the place of *Renty* in *Artois* remain to his Catholick Majesty, as it ought to remain to him, in case it be found to be of the Dependences of *Ayre* or *St. Omer*, neither his said Catholick Majesty, nor the Kings his successors shall have power, at any time to fortifie the said *Renty*.

LIV. All Papers, Letters, and Documents, concerning the Countreys, Lands and Lordships that are to remain to the Lord the most Christian King, by the present Treaty of Peace, shall be furnished and delivered him, *bona fide*, within three months after the exchanging of the Ratifications.

LV. By vertue of the present Treaty, all the *Catalonians* and other Inhabitants of the said Province, as well Prelates, Ecclesiastical persons, Religious persons, Lords, Gentlemen, and Burgeses, as other Inhabitants, both of the Towns and of the Country, none excepted, shall have power to re-enter, and shall effectually re-enter, and be left and established in the possession and peaceable enjoyment of all their goods, Honours, Dignities, Priviledges, Franchises, Rights, Immunities, Constitutions, and Liberties, and shall never be prosecuted, troubled, or molested, either in general, or in particular, upon any cause or pretence whatsoever, for any thing done since the beginning of the present War. And for that end, his Catholick Majesty shall grant and cause to be published, in good form, his Declarations of Amnesty and Pardon, in the behalf of the said *Catalonians*, which publication shall be made upon the same day, as the publication of the Peace; in consequence of which Declarations, it shall be permitted to all and any of them in particular, either personally to return to their houses, and to the enjoyment of their goods; or in case they be willing to settle their habitation any where else out of *Catalonia*, they shall have liberty to do it, and to send into the said Country of *Catalonia*, their Agents and Attorneys, to take in their names, and for them, the possessions of the said goods, to improve and administer the same, receive the fruits and revenues, and transport the same whether they shall please; so that they shall not be obliged personally to go and do homage for the Lands and Manors, whereunto their Attorneys shall have power to satisfy in their name: And their absence shall not hinder their free possession and enjoyment of the said goods; which they shall have.

have also liberty and all faculty to exchange, or alienate, by sale, gift, or otherwise. Yet upon that condition, that those they shall so commit for the management and improvement of their said estates, be not suspected to the Governours or Magistrates, of the places where such Estates are situated; in which case, the owners shall appoint other persons, that be acceptable and no way suspected. Yet it remaining at the will and power of his Catholick Majesty to prescribe the place of the abode to such of the said *Catalonians* whose return into the Country shall not be acceptable to his Majesty. Yet so that the other liberties and privileges granted unto them, and which they enjoyed, shall not be repealed nor altered. As also it shall remain at the will and power of his most Christian Majesty to prescribe the place of abode to such of the County of *Roussillon*, Appurtenances and Dependences, who have retired themselves into *Spain*, whose return into the said County, shall not be acceptable to his Majesty. Yet so, that the other liberties and privileges granted to the said persons, shall not be repealed nor altered.

LVI. The Testamentary Successions, or any other Donations whatsoever between living persons or others of the Inhabitants of *Catalonia*, and of the County of *Roussillon*, mutually made to one another, shall remain equally permitted and inviolable; and in case about the said Successions, Donations, or other acts and contracts, there should happen betwixt them any differences whereby they should be obliged to plead and go to Law, Justice shall be done on both sides with equality and *bonâ fide*, although they be under the obedience of the other party.

LVII. The Bishops, Abbots, Prelates, and others, who have been promoted during the War, to Ecclesiastical Benefices, with approbation of our holy Father the Pope, and by Apostolical authority, dwelling in the lands of either of the parties, shall enjoy the fruits, rents and revenues of the said Benefices, which shall be found to be within the limits of the lands of the other party, without any trouble or molestation, upon what causes, reason, or pretence soever: And for that end they shall have power to appoint, for the said enjoyment and receiving of the said fruits, such persons as are not suspected, having first obtained the good liking of the King, or of his Officers and Magistrates, under whose nomination the said fruits, rents and revenues shall be found to be situated.

LVIII. Such Inhabitants of the principality of *Catalonia*, or of the County of *Roussillon*, who shall have enjoyed, by donation or confiscation granted by either of the two Kings, such goods or estates as were belonging to any persons of the contrary party, shall not be bound to make any restitution to the owners of the said estates, of the fruits by them received by virtue of the said donations or confiscations, during the present War. Provided that the effect of the said donations or confiscations do cease from the day of the publication of the Peace.

LIX. Commissioners shall be appointed on both sides, two months after the publication of the present Treaty, who shall meet at such a place as shall be respectively agreed on, there to end in an amicable way all such differences as might be yet betwixt both parties: which Commissioners shall have care to see the subjects on both sides to be equally and well intreated, and shall not suffer the one to re-enter into the possession of their Estates, but at the same time

time when the other shall also re-enter into the possession of theirs: As also the said Commissioners, if it be so judged fit, shall be enjoined to make a just valuation on both sides of the estates of such as shall not be willing to return into the Country they have forsaken, or of such as the two Kings shall not be willing to receive, having prescribed unto them their abode somewhere else, as aforesaid; that the said valuation being made, the same Commissioners might manage in all equity the exchanges and compensations of the said estates for the greater convenience, and with equal advantage to the interested parties, being careful that none be wronged. And in a word, the said Commissioners shall regulate all things concerning the commerce and the mutual frequentation of the Subjects on both parts, and all such things as they shall think the most conducive to the publick utility, and to the strengthening of the Peace. And whatsoever hath been said in the four immediately foregoing Articles, and in this concerning the County of *Roussillon* and the Inhabitants thereof, ought in the same manner to be understood of the Vigüery of *Conflans*, and that part of the Country of *Cerdana*, that may or ought by the present Treaty to remain in the propriety of his most Christian Majesty, by the Declaration of the aforesaid Commissioners, and of the Inhabitants of the Vigüery of *Conflans*, and the aforesaid part of the County of *Cerdana*: As also it ought reciprocally to be understood of the County of *Cerdania*, and of the part of the Vigüery of *Conflans*, that may or ought to remain to his Catholick Majesty, by the present Treaty, and the Declaration of the said Commissioners.

IX. Although his most Christian Majesty hath never been willing to engage himself, notwithstanding the pressing instances made to him heretofore, backed even with very considerable offers, not to make the Peace without the exclusion of the Kingdom of *Portugal*, because his Majesty hath foreseen and feared least such an Engagement might be an unsurmountable obstruction to the conclusion of the Peace, and might, consequently reduce the two Kings to the necessity of a perpetual War; Yet his said most Christian Majesty, wishing, with an extream passion, to see the Kingdom of *Portugal* enjoy the same quietness, which so many Christian States shall get, by the present Treaty, hath for that end, proposed a good number of parties and expedients, such as his Majesty thought might be satisfactory to his Catholick Majesty; among which, though as aforesaid his Majesty was no way engaged in that Affair, his Majesty hath even gone so far therein, as to be willing to deprive himself of the principal fruit of the happiness and success his Arms have had, during the course of a long War, offering, besides the places his Majesty doth now restore by the present Treaty unto his Catholick Majesty, to restore yet unto him all the rest of the Conquests generally made by his Arms during this War, and wholly to restore the Prince of *Condé*; Provided, and upon that condition that the affairs of the Kingdom of *Portugal* should be left as they are now: which his Catholick Majesty having refused to accept, but only offering that in consideration of the mighty Offices of the said Lord the most Christian King, he would give his consent for setting all things in the said Kingdom of *Portugal*, in the same state they were afore the change arrived there in the Month of *December*, in the year 1640, pardoning and giving a general Amnesty for all what is past, and granting the re-establishment into all Estates, Honours, and Dignities, to all such, without distinction of person, as returning

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under the obedience of his Catholick Majesty, shall put themselves again in posture to enjoy the effect of the present peace, At length, in consideration of the peace, and considering the absolute necessity his said most Christian Majesty hath been in, to perpetuate the War by breaking off the present Treaty, which his Majesty found to be unavoidable, in case he would have any longer insisted upon the obtaining, upon that affair of his Catholick Majesty, other conditions than such as he offered, as aforesaid: And his said most Christian Majesty willing to prefer, as it ought to be, and is most just, the general quietness of Christendom, to the particular interest of the Kingdom of *Portugal*, for whose advantage, and in whose behalf, his said Majesty hath never omitted any thing of what depended of him, and did lie in his power, even to the making of such great offers as aforesaid, it hath been at length concluded and agreed between the said Lords and Kings, that it shall be granted unto his said most Christian Majesty, a space of three months time, to begin from the day of the exchanging of the Ratifications of the present Treaty, during which his said Majesty may send into the said Kingdom of *Portugal*, to endeavour so to dispose things there, and to reduce and compose that affair, that his Catholick Majesty may remain fully satisfied. Which three months being expired, if his said most Christian Majesties cares and offices have not had the desired effect, his said Majesty will no further meddle with that affair, and doth oblige and engage himself and promise upon his Honour, and in the word of a King, for himself and his Successors, not to give unto the said Kingdom of *Portugal*, either in general, or to any person or persons in particular, of what dignity, state, condition, or quality soever they be, now or hereafter, any help or assistance, publick or secret, directly or indirectly, of Men, Arms, Ammunition, Victuals, Ships, or Money, upon any pretence, nor any other thing whatsoever, by Sea or Land, nor in any other manner. As also, not to suffer any levies to be made in any parts of his Kingdom and Dominions; nor to grant passage to any that might come from other States, to the assistance of the said Kingdom of *Portugal*.

LXI. His Catholick Majesty doth renounce by this Treaty, both in his Name, and of his Heirs, Successors and Assigns, unto all the Rights and Pretensions, without keeping or reserving any thing, which his Majesty may, or might hereafter have upon the Upper and Lower *Alsacia*, the *Zunigaw*, the County of *Ferrese*, *Brisac*, and Dependences thereof, and upon all the Countries, places, and rights left and yielded to his most Christian Majesty by the Treaty made at *Munster*, the 14 of *October*, 1648. to be united and incorporated to the Crown of *France*: His Catholick Majesty approving, for the effect of the said Renuntiation, the Contents of the said Treaty of *Munster* and not any other thing of the said Treaty, as not having intervened therein. In consideration of which present renuntiation, his most Christian Majesty do offer to satisfy to the payment of Three Millions of *Livers*, his Majesty is obliged to pay, by the said Treaty, to the Archdukes of *Inspree*.

LXII. The Duke *Charles of Lorraine*, having shewed much sorrow for his conduct towards the Lord the most Christian King, and to have a firm intention to give him more satisfaction for the future, both of himself and of his actions, than the time past, and the occasions have formerly enabled him to do, his most Christian Majesty, in consideration of the mighty offices of his

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Catholick Majesty, doth from this time receive the said Duke into his good Grace, and in contemplation of the Peace, without looking to the Rights his Majesty may have acquired, by several Treaties made by the late King his Father, with the said Duke, after the demolishing which shall be first made, of all the Fortifications of both the Towns of Nancy, which he shall not have power to raise again, and the drawing and carrying away of all the Artillery, Powder, Bullets, Arms, and Ammunitions of War, that are at present in the Magazines of the said Nancy, shall put again the said Duke Charles of Lorraine into the possession of the Dukedom of Lorraine, and even of the Towns, Places and Countries, by him formerly possessed, depending of the three Bishopricks of Metz, Thoul and Verdun, except first, Moyenvic, which though within the Marches of Lorraine, yet belonged to the Empire, and hath been yielded to his most Christian Majesty, by the Treaty made at Munster, the 21 of October, 1648.

LXIII. Secondly, Except the whole Dukedom of Bar, Countries, Towns, and places, making up the same, as well that part thereof as doth hold from the Crown of France, as that which might be pretended not to hold of it.

LXIV. Thirdly, Except the County of Clermont, and the Dominion thereof, and the places, Provostships, and Lands of Stenay, Dun and Jametz, with the whole Revenue thereof, and the Territories belonging to them. Which Moyenvic, Dukedom of Bar, therein comprehended the part of the place and Provostship of Merville, which part, as it hath been said before, did belong to the Duke of Bar, Places, County, Provostship, Lands, and Dominions of Clermont, Stenay, Dun and Jametz, with their Appurtenances, Dependencies, and Annexes, shall remain for ever united and incorporated to the Crown of France.

LXV. The said Duke Charles of Lorraine, before his re-establishment into the Dominions aforesaid, and afore any place be restored unto him, shall give his consent to the tenour of the three immediately foregoing Articles: And to that effect, shall deliver to his most Christian Majesty, in the most valid and authentic form his Majesty might desire, the Acts of his renunciation and cession of the said Moyenvic, Dukedom of Bar, therein comprehended the part of Metz, Stenay, Dun, Jametz, the County of Clermont, and the Dominion thereof, Appurtenances, Dependencies and Annexes. And the said Duke, nor his successors, either now or ever hereafter, shall pretend or demand anything of the price the late King Lewis XIII. of glorious memory, had bound himself to pay unto the said Duke, for the said Dominion of the County of Clermont, by the Treaty made at Viverron, in the Month of June, 1634, because the Article containing the said Obligation hath been annulled by the subsequent Treaties, and again afresh, in as much as need might be, wholly annulled by this present Treaty.

LXVI. His most Christian Majesty, in restoring unto the said Duke Charles, the places of his Dominions as aforesaid, shall leave therein, except only in such as are agreed to be demolished, all the Artillery, Powder, Bullets, Arms, Victuals, and Ammunitions of War, that are in the Magazines of the said places, without imbezilling, weakening, and diminishing the same in any manner what soever.

LXVII. Neither the said Duke *Charles* of *Lorraine*, nor any other Prince of his House, or of his adherents and dependents shall have power to remain in Arms, but both the said Duke, and the other aforesaid, shall be bound to disband their Forces at the Publication of the said Peace.

LXVIII. The said Duke *Charles* of *Lorraine*, afore his re-establishment into his Dominions, shall likewise prepare an Act in good form, unto his most Christian Majesty, that he doth desist and give over all Intelligences, Leagues, Associations and practises, he hath or may have, with any Prince, State, and Potentate whatsoever, to the prejudice of his Majesty and the Crown of *France*: And that for the future, he will give no retreat into his Dominions to his enemies, Rebels, or suspected Subjects, and will not permit any Levies there, nor gathering of Souldiers against his Service.

LXIX. The said Duke *Charles* shall likewise give, afore his re-establishment, an Act in good form unto his most Christian Majesty, whereby he shall bind himself, both for himself and all the Dukes of *Lorraine* his Successours, to grant at all times, without any difficulty, under what pretence soever the same might be grounded, free passage upon his Dominions, both to such persons and forces, Horse and Foot, whom his said Majesty and the Kings of *France* his Successours, shall have occasion to send into *Asia*, or to *Brisac* and *Philipsbourg*, as often as he shall be desired of it by his said Majesty, and his said Successours; and to cause Victuals, Lodgings and other necessities to be afforded unto the said forces in his said Dominions, by way of *Estop*, the said forces paying their expences at the ordinary rate of the Country. Provided, they be but meer passages, at regular marches and reasonable journeys, without sojourning in the said Dominions of *Lorraine*.

LXX. The said Duke *Charles* afore his re-establishment into his Dominions, shall put into the hands of his most Christian Majesty, an Act in good form, and satisfactory to his Majesty, whereby the said Duke shall oblige himself for himself, and for all his Successours, to cause the Farmers and Administrators of the Salt-pits of *Roseres*, *Chasteau-Salins*, *Dituz*, and *Marsal*, which his Majesty doth restore unto him, by the present Treaty, to afford unto his Majesty, all such quantity of Measures of Salt, as shall be necessary for furnishing all the Salt Store-houses, that ought to be filled for the use and ordinary consumption of his Majesties Subjects, within the three Bishopricks of *Metz*, *Thoul*, and *Verdun*, Dukedom of *Bar*, and County of *Clermont*, *Stenay*, *Jametz*, and *Dun*, at the same rate for each measure of Salt, as the said Duke *Charles* was wonted to afford it to the Salt Store-houses of the Bishoprick of *Metz*, in time of Peace, during the last year of the said Dukes possessing his whole Dominions; and neither he, nor his Successours shall have power to raise the price of the said measures of Salt.

LXXI. And because since the time the late most Christian King of glorious memory, hath conquered *Lorraine* by his Arms, a great number of the Subjects of that Dukedom have served their Majesties, in consequence of the Oaths of Fidelity their Majesties have desired of them, it hath been agreed, That the said Duke shall not like them, nor use them the worse for it, but shall consider and use them as his good and faithful Subjects, and shall pay them off such Debts, and Reps, whereof his Dominions may be charged. Which his Majesty doth to particularly desire, that had it not been for the assurance his Majesty takes of the Faith the said Duke will engage to him for that purpose,

his Majesty would have never granted him so much as he doth by the present Treaty.

L X X I I. It hath been farther agreed, that the said Duke shall not have power to alter any thing in the Provisions of the Benefices granted by the said Lords and Kings, untill the day of the present Treaty; and that such as have been provided, shall remain in the peaceable possession of the said Benefices; wherein the said Duke shall not disturb or molest them, nor have power to turn them out of their possession.

L X X I I I. It hath been further agreed, that the Confiscations given by his Majesty, and his Father the late King, of the Estates of such as were in armes against him, shall be of force, as to the enjoyment of the said Estates, untill the day of the date of the present Treaty; and such as have enjoyed the same, by vertue of the said Gifts, shall not be troubled, nor molested for the same, in any wise, and for no cause whatsoever.

L X X I V. It hath been further agreed, that all Proceedings, Judgments and Arrests, issued by the Council, Judges and other Officers of his most Christian Majesty, upon any differences and procceses, prosecuted both by the Subjects of the said Dukedoms of *Lorraine* and *Bar*, and others, whilst the said Dominions were under the obedience of the said Lord the most Christian King, and of the late King his Father, shall stand and shall have their full and intire effect as if the said Lord and King should remain Lord and Possessor of the said Country: And the said Judgments and Arrests shall not be called to any question, nor recalled, nor the execution of them any way retarded or hindered. Yet it shall be lawful to the Parties, to sue a Revision of the Cause, according to the order and disposition of the Laws and Ordinances; the said Judgments remaining in the mean while, in their force and vertue.

L X X V. Moreover it hath been further agreed, that all other gifts, graces, remissions and alienations, made by the said Lord the most Christian King, and the late King his Father, during the said time of things escheated and accured unto them, or adjudged to them either by confiscation for crime or offence, (other than of War, for having followed the said Duke) or by reversion of Lands, or for want of lawful Successors or otherwise, shall be and shall remain good and valid, and shall not be recalled; nor shall those, to whom the said gifts, graces, and alienations have been made, be disturbed or molested, in the enjoyment of them, in any wise, and for any cause whatsoever.

L X X V I. As also that such as, during the said time, have been received to faith and homage, by the said Lords and Kings, or their impowred Officers, because of the said Lands and Lordships, held and depending of the Towns, Castles or places, possessed by the said Lords and Kings, in the said country, and have paid for the same the Rights and Duties belonging to the Lord, or have obtained a gift and remission of the same, shall not be troubled nor molested, by reason of the said Rights and Duties, but shall remain acquitted, and shall be lyable to no demand about the same.

L X X V I I. In case the said Duke *Charles of Lorraine*, be not willing to accept and ratifie what hath been agreed by the two Lords and Kings, concerning his Interests, in the manner aforesaid: or having accepted of the same, he should happen hereafter to fail in the execution and performance of the Tenor of the present Treaty, his most Christian Majesty, in the first case of non-

accepting of the Treaty by the said Duke, shall not be bound to execute on his part, any of the Articles of the said Treaty; and yet he shall not be deemed, for this cause, to have in any thing infringed the same: As also in the second case, that the said Duke having accepted of the aforesaid conditions should hereafter happen to fail on his part, in the execution thereof, his said Majesty hath reserved and doth reserve unto himself all the rights he had acquired upon the said Dominions of *Lorrain*, by several Treaties made, between the late King his Father of happy memory, and the said Duke, to prosecute the said rights in such manner as he shall think best.

L X X V I I I. His Catholick Majesty doth consent that his said most Christian Majesty be not obliged to the foresaid re-establishment, unto the said Duke *Charles of Lorrain*, but after the Emperor shall have approved and ratified by an authentick Act; which shall be delivered to his most Christian Majesty, all the Articles stipulated as to the said Duke *Charles of Lorrain*, in the present Treaty, none excepted: And his said Catholick Majesty doth oblige himself to procure of the Emperor, the speedy expedition and delivery of the said Act: As also in case it be found that of the Dominions, Countrys, Towns, Lands or Lordships, remaining to his most Christian Majesty, in propriety, by the present Treaty, of such as formerly belonged to the Dukes of *Lorrain*, there be any Fief held of the Empire, for reason whereof his Majesty had merit and should desire to be invested with the same, his Catholick Majesty doth promise, sincerely and *bona fide*, to sollicite the Emperor for the obtaining of the said investitures, in the behalf of the said Lord most Christian King, without delay or difficulty.

L X X I X. The Prince of *Conde* having let Cardinal *Mazarin* the Plenipotentiary of the most Christian King his Sovereign Lord to understand, that he might acquaint his said Majesty with it, how extremely sorrowfull he was to have some years since followed a course displeasing to his Majesty; that he wished he could redeem with the best part of his blood, all the hostilities he hath committed within and without the Kingdom of *France*; whereunto he protesteth that his sole unhappiness, rather than any evil intention against his Majesties service, hath engaged him: And that if his Majesty be pleased to have so much generosity as to use towards him his Royal bounty, forgetting what is past, and keeping him in honor of the his good graces, he will endeavor as long as he shall live to acknowledge that benefit, by an invioable fidelity, and to repair what is past by a full obedience to all his commands: And that in the interim, to begin and shew by the deeds that might be presently in his power with how great a passion he desired to recover the honour of his Majesties benevolence, he pretends nothing in the conclusion of that Peace, for all the interests he may have therein, but from the meer bounty, and of the own motion of the said Lord the King his Sovereign Lord; and doth even desire his Majesty should be pleased fully to dispose, and according to his good pleasure, in such a manner as he shall please, of all the indemnifyings, the Lord the Catholick King shall be pleased to grant him, and which he hath already offered him either in estates or lands, or in places or money, which he submits all to his Majesties feet: And besides that he is ready to disband all his Forces, and to put in his Majesties power the places of *Rocroy*, *le Chastellet* and *Linchamp*, whereof the two first were remitted to him by his said Catholick Majesty: And that as soon as he may have obtained leave, he will send an Express to the

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said Lord the King, his Sovereign Lord, to protest yet more expressly of all the same intentions, and of the truth of his submissions, and to deliver unto his Majesty such Act or Writing subscribed by him, as his Majesty shall be pleased to prescribe for assurance that he renounceth to all Leagues, Treaties and Associations he might have made heretofore with his Catholick Majesty: And that for the future he will not take nor receive any establishment, pension, nor benefit of any Foreign King or Potentate: And finally, for all the interests he may have, in what thing soever they may consist, he wholly remitteth them to the good pleasure and disposition of his Majesty, without any pretension. His said most Christian Majesty being informed of all the premises by his said Plenipotentiary, and being sensible of the said Princes proceeding and submission, hath desired and consented that his interests should be regulated in this Treaty, after the manner following, granted and agreed on between the two Lords the Kings.

LXXX. First, That the Prince shall lay down arms at the furthest within eight weeks, reckoning from the day of the subscribing of the present Treaty, and shall effectively disband all his forces both horse and foot, French and Foreigners, who make up the body of the Army he commands in the *Low-countries*; and that after such manner as his most Christian Majesty shall be pleased to prescribe; except the Garrisons of *Rocroy, le Chastelet and Linchamp*, which shall be disbanded at the time appointed for the restitution of the said three places. And the said laying down of arms and disbanding shall be made by the said Prince really and *bona fide*, without transporting, lending or selling either really or feignedly, unto any other Princes or Potentates whatsoever, either friends or foes, or either Allies of *France*.

LXXXI. Secondly, that the said Prince, sending an Express to his Majesty to confirm more particularly unto him all the things aforesaid in his name, shall deliver unto his Majesty an Act subscribed by him, whereby he shall submit to the execution of what hath been concluded between the two Lords and Kings as to his person and interests, and as to the persons and interests of those that have followed him. And in consequence thereof, he shall declare that he sincerely departeth from, and *bona fide* renounceth to all Leagues, Intelligences and Treaties of Association or Protection he may have made and contracted with his Catholick Majesty, or any other Kings, Potentates or Foreign Princes whatsoever, or any other persons within or without the Kingdom of *France*; with promise never to take or receive at any time hereafter of the said Foreign Kings or Potentates, any Pensions, establishments, or Benefits, that may oblige him to a dependance of them, or to any tie to any other Kings or Potentates, but to his said Majesty his Sovereign Lord; upon the penalty, in case of breach of the said Writing, to forfeit from that time the restoring and re-establishing granted to him by the present Treaty, and to return to the same condition he was in about the latter end of *March* in this present year.

LXXXII. Thirdly that the said Prince, in execution of what hath been before concluded and agreed between the said two Lords and Kings; shall really and indeed put into the hands of his most Christian Majesty the places of *Rocroy, le Chastelet and Linchamp*, upon the time and day appointed by another Article of this same Treaty.

LXXXIII. Provided that what is aforesaid be executed, his most Christian Majesty, in contemplation of the Peace and in consideration of the offices of his

his Catholick Majesty, using his Royal clemency, shall sincerely and with a good heart receive the said Prince into his grace, will pardon him, and with the same sincerity will forget all what for the time past he hath done and undertaken against his service, within or without the Kingdom; and will like his return into *France*, even where his Majesties Court shall be. In consequence whereof his said Majesty shall restore and re-establish the said Prince really and indeed into the free possession and enjoyment of all his Estates, Honors, Dignities and Privileges of first Prince of his blood: Yet so, that as to the said Estates and Goods, of what nature soever, the said Prince shall never pretend any thing, for the time past, for restitution of the fruits of the said Estates, by whomsoever they may have been enjoyed by order of his Majesty, nor for payment and restitution of his Pensions, Salaries, or any other Rents and Revenues he had upon *Demaines*, Farms, or General Receipts of the said Lord the King, nor by reason, or under pretence of what he might pretend to be due unto him by his Majesty, afore his going out of the Kingdom; nor for demolitions, degradations, or damages made by his Majesties orders or otherwise, in what manner soever, upon the Estates, Towns, places fortified or not fortified, Lordships, Chastellenies, lands and houses of the said Prince.

LXXIV. And concerning the Charges and Governments of Provinces or places, whereof the said Prince was provided, and which he possessed afore his going out of *France*, his most Christian Majesty hath for a long time constantly refused to restore him thereunto, until being sensibly affected with the proceeding and the submission aforesaid of the said Prince, when he wholly referred to his good pleasure and disposition all his interests without any pretension, and whatsoever was offered to him by his Catholick Majesty for his indemnifying, his most Christian Majesty hath at length inclined to grant him what followeth, upon certain conditions hereafter specified, concluded and agreed on by the said Lords and Kings, *viz.* That in case the Lord the Catholick King, on his part, instead of what he intended to give to the said Prince towards the indemnifying of him, will draw out the Spanish Garison that is in the Town, place and Citadell of *Juliers*, and leave the said place and Citadell free of the said Garison unto the Duke of *Newburgh*, upon the conditions, and in the manner that shall be hereafter more particularly specified in another Article of this present Treaty: As also if his said Catholick Majesty, besides the drawing out of the Town and Citadell of *Juliers*, the aforesaid Spanish Garison, doth put in the hands of his most Christian Majesty, the Town and place of *Avannes*, situate between the Rivers of *Sambre* and *Matz*, with the Appurtenances, Dependances, Annexes, and Dominions, after the manner his said Catholick Majesty hath above obliged himself to do, by an Article of this present Treaty, (which place of *Avannes* his said Majesty intended also to have given among other things, unto the said Prince.) Provided, his Majesty doth perform the premises as aforesaid, that is to say, by way of compensation for the said remitting and yielding of one of the said places to the said Lord the most Christian King, to be for ever united and incorporated to the crown of *France*; and of the going of the Spanish Garison out of the other, in the behalf of a Prince, who is a friend and an Ally of his said most Christian Majesty, whom his Majesty hath desired to oblige, by vertue of the Treaty of the said Alliance: His said most Christian Majesty, for all things generally whatsoever that may concern the charges and Governments formerly

merly possessed by the said Prince, or which any of those that belong to him had ground to hope, none excepted, will give unto the said Prince the Government of the Province of *Burgundy* and *Brescia*, wherein are understood to be comprehended the Countries of *Bugey*, *Gex*, and *Veromey*: As also will give him the particular Governments of the Castle of *Dijon*, and of the Town of *St. John de Laune*; and to the Duke of *Enguien* his son, the charge of Grand master of *France*, and of his Household; with Briefs or Declarations of Assurance unto the said Prince to secure it, in case the said Duke of *Enguien* should die before him.

LXXXV. His said Majesty shall cause his Letters Patents of Amnesty to be dispatched, in good form, for whatsoever the said Prince, his Kindred, Servants, Friends, Adherents, and Domesticks, either Ecclesiastical or Secular, have or may have done or undertaken, heretofore, against his service; so that neither he, nor they shall ever be prejudiced or suffer for it, at any time, nor their Heirs, Successors and Assigns, as if those things had never happened. And his said Majesty shall never at any time, make any inquisition against the said Prince, nor his, nor against his Servants, Friends, Adherents, or Domesticks, either Ecclesiastical or Secular, for any moneys he or they have taken out of the general or particular Receipts, or out of his Customs and Farms. And his Majesty shall not oblige them to any restitution of the said moneys, nor of all the Levies, of contributions, impositions, exactions upon the people, and acts of hostility committed in *France*, in what manner soever it might be: The which shall be more particularly expressed in the said Letters of Amnesty, for the entire security of the said Prince and of those who have followed him, that they shall never be prosecuted, troubled, nor molested for the same.

LXXXVI. After the said Prince of *Conde* hath on his part satisfied unto the contents of the three Articles, 80, 81, 82. of the present Treaty, all Dutches, Counties, Lands, Lordships, and Dominions, even those of *Clermont*, *Stenay* and *Dun*, as he had them afore his going out of *France*, as also that of *Jametz*, in case he had it then, which formerly belonged to the said Prince; together with all his other Estates and Goods, real or personal, of what quality soever, in the manner aforesaid, shall be restored unto him really and indeed, or to such as the said Prince, being in *France*, shall commit and appoint, to take in his name the possession of the said Goods, and to serve him in their Administration: As also shall be restored unto him, and to his said Deputies, all Titles, Documents and other writings left, at the time of his going out of the Kingdom, in the houses belonging to his said Lands and Lordships, or elsewhere. And the said Princes shall be re-integrated into the true and real possessions of all the said Dutches, Counties, Lands, Lordships and Dominions, with such Rights, Authorities, Justice, Chancery, Royal Cases, Garners or Salt Store-houses, Presentations and Collations of Benefices, Graces and Preheminences, which he or his Predecessors have enjoyed, and as he enjoyed afore his going out of the Kingdom, provided that he shall leave *Billegarde* and *Montreuil* in the state they are at present. Whereupon shall be dispatched unto him, in as good form as he shall desire it, all Letters Patents of his Majesty necessary thereunto; and he shall not be troubled, prosecuted, nor molested in the said possession and enjoyment by the said Lord the King, nor by his Heirs, Successors or Officers, directly nor indirectly,

notwithstanding any Donations, Unions, or incorporations that might have been made of the said Dutchys, Counties, Lands, Lordships and Dominions, Estates, Honours, Dignities, and Prerogatives of first Prince of the blood, and any derogatory Clauses, Constitutions, and Ordinances contrary thereto. As also neither the said Prince, nor any of his Heirs and Successors by reason of things that he may have done, either in *France* afore his going out, or out of the Kingdom, after his said going out, nor for any Treaties, or Intelligences whatsoever, by him had or made with any Princes and persons whatsoever, of what condition and quality they be, shall not be molested, troubled, nor prosecuted: But all kinds of Proceedings, Arrests, even that of the Parliament of *Paris*, of the 27 of *March*, 1654. Judgements, Sentences, and other Acts, that may already have been made and issued against the said Prince, both in Civil and Criminal matters, unless in the Civil matter he hath voluntarily debated it, shall remain void and of none effect, and no pursuit shall ever be made concerning the same, as if those things had never happened. And in respect of the Dominion of *Albrys*, which the said Prince enjoyed afore his going out of *France*, and wherof his Majesty hath since otherwise disposed, his Majesty shall give unto the said Prince the Dominion of *Bourbonnois*, upon the same conditions upon which the exchange of those two Dominions had already been agreed, afore the said Prince went out of the Kingdom.

LXXXVII. As to the Kindred, Friends, Servants, Adherents and Domesticks of the said Prince, either Ecclesiastical or Secular, who have followed his party, they shall have liberty, in Consequence of the Pardon and Amnesty in a foregoing Article mentioned, to return into *France*, with the said Prince, and settle their abode in such place as they shall think best; and they shall be re-established, as the other subjects of the two Lords and Kings, into the peaceable possession and enjoyment of their Estates, Honours, and Dignities, except the Charges, Offices and Governments which they were possessed of, afore their going out of the Kingdom, to enjoy by them the said Estates, Honours and Dignities, as they held and possessed them. Yet they shall not pretend any restitution for the enjoyments of the time past, either from such to whom his Majesty had given the same, or in any other manner whatsoever. As likewise they shall be re-established into their Rights, Names, Reasons, Actions, Successions and Inheritances to them accrued, or to the Children and Widdows of such as are deceased, during their absence out of the Kingdom; as also such moveables by them left, shall be restored unto them if they be found *in esse*: and his Majesty, in contemplation of the Peace, doth declare null and of none effect, (except as to their said Charges, Offices and Governments) all Proceedings, Arrests, even that of the Parliament of *Paris* of the 27 of *March*, 1654. Sentences, Judgements, Adjudications, Donations, Incorporations, and other Acts, that may have been made against them or their Heirs, for having followed the said Princes party, and that both in Civil and Criminal matters, unless in the Civil matters they have voluntarily debated: and neither they nor their Heirs shall ever be prosecuted, troubled or molested for the same. Upon all which things aforesaid, his most Christian Majesty shall cause to be dispatched both unto the said Prince, and to his Kindred, Servants, Friends, Adherents and Domesticks, as well Ecclesiastical as Secular, all the necessary Letters Patents,

containing the premises, in good form: which Letters Patents shall be delivered unto them, when the said Prince shall have performed on his part the contents in the three Articles 80, 81 and 82, of the present Treaty.

LXXXVII. In conformity to what is contained in the 84. Article of the present Treaty, whereby his most Christian Majesty doth oblige himself to give unto the said Prince of *Conde*, and unto the said Duke of *Enghien*, his son, the Governments and the Charge therein mentioned, his Catholick Majesty doth promise and oblige himself, of his part, and in the word of a King, to draw out of the Town, Citadel or Castle of *Fuliers*, the Spanish Garrison that is in the said Town, Citadel or Castle, and all such other Forces as might have lately gone into the same, or might yet go in to reinforce the Garrison thereof, leaving in the said Town and Citadel all the Artillery marked with the Coat of Arms of the House of *Cleveland* or of *Fuliers*, or that hath belonged to them: And as to the rest of the said Artillery, Arms, Ammunition, and Instruments of War, which his Majesty hath in the said Town and Castle of *Fuliers*, delivering them unto the Duke of *Nubourg*, or such as shall be appointed by him to receive the same, in the same quality he hath the possession of the Estate of *Fuliers*: the said Duke delivering before into the hands of his Catholick Majesty a Writing in good form signed with his hand, satisfactory to his said Catholick Majesty, whereby he shall engage not to sell, alienate nor pawn the said Town, Citadel or Castle to any Princes, or any other private persons; and that he shall not put therein, nor settle there any other Garrison but of his own Forces: As also to grant unto his said Catholick Majesty, whenever he shall have need of it, the passage for his Forces, either through the said Town, or through the State of *Fuliers*: his said Majesty paying at his own charges the expence of the passage of the said Forces, which shall be regulated journeys and reasonable marches, and shall not sojourn in the Land: the said Duke taking, in such occasions, the necessary precautions for the safety of the said Town and Citadel. And in case the said Duke should fail in the performance of what he shall oblige himself unto, as well of not alienating the same, as not of putting any other Garrison in the said place and Citadel, but what is his own, or that he refuseth to give passage to his Catholick Majesties Forces, in paying their expences, the said Lord the most Christian King doth promise in the word of a King, not to assist the said Duke with Money or Soldiers, nor in any other manner, by himself, or by interposed persons, to uphold the said contravention; but to the contrary he will lend his own Forces, if need be, for the accomplishing of the Premises.

LXXXIX. It hath been expressly concluded and agreed between the said Plenipotentiaries, That the Reservations contained in the 21 and 22 Articles of the Treaty of *Pervins*, shall have their full and entire effect; and no explanation contrary to their meaning shall be used: And that in consequence thereof to the said Lord the most Christian King of *France* and *Navarre*, his Successors and Assigns are reserved, notwithstanding any prescription or space of time that might be alledged to the contrary, all the rights, actions and pretensions he conceives to belong unto him, because of the said Kingdoms, Countries and Lordships, or any where else, for any cause whatsoever, whereunto it hath ever been, either by himself, or by his predecessors, expressly renounced, to prosecute the same by an amicable way and of Justice, and not by Arms.

LXXXX. Likewise shall be reserved unto the said Lord the Catholick King of Spain, his Successors and Assigns; notwithstanding any prescription or space of time that might be alledged to the contrary, all the rights, actions and pretensions he conceives to belong unto him, because of the said Kingdoms, Countries and Lordships, or any where else, for any cause whatsoever, whereunto it hath never been, either by himself or by the King's his predecessors expressly renounced, likewise to prosecute the same by an amicable way and of Justice, and not by Arms.

LXXXXI. Whereas the said Cardinal *Mazarin*, his most Christian Majesties Plenipotentiary, hath represented, that for the better obtaining of a good Peace, it is necessary that the Duke of Savoy, who hath intermeddled in this War, joyning his Arms to those of the Crown of France, whose Ally he is, should be comprehended in the present Treaty: His most Christian Majesty loving the welfare and preservation of the said Duke, as much as his own, because of the propinquity of blood and alliance whereby they are related; and his Catholick Majesty finding it reasonable that the said Duke be comprehended in that Peace: upon the instances and by the interposition of his most Christian Majesty; It hath been concluded and agreed, that for the future there shall be a cessation of all manner of acts of hostility, as well by Sea and other waters, as by Land, between his Catholick Majesty and the said Duke of Savoy, their Children, Heirs and Successors, born or to be born, their States, Dominions and Lordships, a reestablishment of Amity, Navigation and Commerce, and good correspondency between the Subjects of his said Majesty and the said Duke, without distinction of places or of persons: And the said Subjects shall be reestablished, without difficulty or delay, into the free and peaceable possession and enjoyment of all their Goods, rights, names, reasons, pensions, actions, immunities and privileges of what nature soever, which they possessed in the Dominions one of the other, afore the present War; or that might have escheated to them during the same, and which by reason of it may have been seized on: Yet so that they shall not pretend or demand any restitution for the enjoying of the same for the time past, during the War.

LXXXXII. In consequence of the said Peace, and in consideration of the Offices of his most Christian Majesty, the said Lord the Catholick King shall restore unto the said Duke of Savoy, really and indeed, the Town, place and Castle of *Vercel*, and all the Territories thereof, Appurtenances, Dependences and Annexes: And shall therein demolish nothing, nor dammifie the Fortifications that have been made there; but shall restore it in the same condition, as to the Artillery, Ammunitions of War, Victuals, and any other things, as it was when the said *Vercel* was taken by his Catholick Majesties Arms: And as to the place of *Cencio* in the *Langy*, it shall likewise be restored to the said Duke of Savoy, in the same state it is now in, with the Dependences, and Annexes.

LXXXXIII. As for the Dower of the late *Serenissima Infanta Catharina*, about which there hath been some difference betwixt the Houses of Savoy and of *Modena*, his Catholick Majesty doth promise and engage, to see effectively paid unto the Duke of Savoy, the Arrears that may be due to his House, since the said Dower was appointed, until the 17th of December, in the year 1620. At which time the late Duke *Charles Emanuel* of Savoy gave in Appanage the said Dower, to the late Prince *Philbert* his Son, as it shall be verified by the date

date, out of the Books of the Royal Chamber of the Kingdom of *Naples*. And for the payment, for the future, of the current of the said Dower, and other Arrears, what is further disposed about it, hereafter, by another Article of the present Treaty, shall be followed.

LXXXIV. And because the Divisions, or contrary pretensions of the Houses of *Savoy* and *Mantua*, have several times caused some troubles in *Italy*, because of the assistances the said Lords and Kings have at divers times given, each of them to his Ally; that for the future, no Subject or pretence may be left, that might afresh after the good intelligence and amity of their Majesties; It hath been concluded and agreed, for the good of the Peace, that the Treaties made at *Querasque*, in the year 1632. about the differences of the said Houses of *Savoy* and *Mantua*, shall be executed according to their form and tenor: And his Catholick Majesty doth promise and engage his Royal Word, never to oppose, nor in any wise to do any thing contrary unto the said Treaty, nor to the execution thereof, for any reason, action, or pretence whatsoever, and not to give any assistance or favour, directly nor indirectly, in any manner whatsoever, to any Prince that shall offer to infringe the said Treaties of *Querasque*; whereof his most Christian Majesty shall have power to maintain the observance and execution of it, by his authority, and if need be, with his Arms. And his most Catholick Majesty shall not have power to make use of his own to hinder it; any thing of the third Article of the present Treaty (whereunto it is expressly derogated this present Article, only for that regard) contrary thereunto, notwithstanding.

LXXXV. Whereas the difference remaining betwixt the said Duke of *Savoy*, and the Duke of *Mantua*, about the Dower of the late Princess *Margaret of Savoy*, Grand-mother to the said Duke of *Mantua*, could not be composed in several conferences had by the Commissioners of the said Dukes about the same, both in *Italy* and in this place, before the Plenipotentiaries of their Majesties, because of the too great distance of the one, and the exceptions of the other: So that they could not agree afore the conclusion of the said Peace, which ought not to have been retarded, because of that interest onely: It hath been concluded and agreed, that the said Dukes shall cause their Commissioners to meet in *Italy*, within thirty days after the subscribing of this Treaty, and sooner, if it may be, at such a place as shall be agreed on between the Duke of *Navailles*, and in his absence, between the Ambassador of the most Christian King residing in *Piedmont*, and the Count of *Fuenzalada*, or in such manner as they shall think it most fit; to the end, that with the intervention of the Ministers of both the Lords and Kings, which may happen to contribute much for facilitating and carrying on of that accommodation, they might attend the composition of that difference; so that within other forty days, after their first meeting, the said accommodation may be concluded, and the parties may agree about the sum that is due. And in case that new conference do not produce the intended effect, afore the Spring, then both the Plenipotentiaries of the two Lords and Kings shall meet again together, upon this same Frontier of both the Kingdoms. And then their Majesties, having been acquainted by their Ministers of the reasons on both sides, and of the expedients propounded unto them shall make choice of that which they shall judge to be just and reasonable, to mediate the accommodation of that business in an amicable way; so that the said Dukes might and be

obliged to remain satisfied on both sides. And their said Majesties shall concur afterwards, unanimously to procure that their determinations may be executed, so that nothing might remain that may alter the publick tranquillity of *Italy*.

LXXXXVI. And because, since the death of the Duke of *Modena* hapned in *Piedmont*, the last year 1658. his Catholick Majesty hath been informed, by his Ministers in *Italy*, that the Duke of *Modena* his Successor hath shewed his pleasure for the things hapned during this War, and to have a firm intention to give satisfaction to his said Majesty concerning his person and his actions, and to merit by his conduct his Royal good will, the said Duke having made for that end, divers offices to the Count of *Fuenfaldana*, Governor and Captain-General in the State of *Milan*. Upon this consideration, and of the Lord the most Christian Kings interposition, his Catholick Majesty doth from henceforth receive into his Grace, the person and the house of the said Duke, who shall for the future live and proceed in a good and free neutrality with the two Crowns of *France* and *Spain*, and his Subjects shall have power to have and to hold a Free-commerce within the Dominions of both the Crowns: And the said Duke and his Subjects shall enjoy such Rents and Graces, as they have obtained, or hereafter may obtain of their Majesties, as they wonted to enjoy them, without difficulty, afore the taking up of Arms.

LXXXXVII. Likewise his Catholick Majesty hath consented and granted never to send any more into the place of *Correggio*, the Garrison he used to have there, for the time past: So that the possession of the said place of *Correggio* shall remain free of the said Garrison, And even for a greater security and advantage of the said Duke, his Catholick Majesty doth promise to make most pressing offices towards the Emperor, that he may be pleased to grant unto the said Duke, to his satisfaction, the investiture of the aforesaid Dominion of *Correggio*, as the Princes of the said *Correggio* formerly had it.

LXXXXVIII. As to the Dower of the Serenissima Infanta *Catharina*, assigned upon the Customs of *Foja* in the Kingdom of *Naples*, of 48000 Duckets of yearly revenue, or such other quantity as shall appear by the Books of the Royal Chamber of that Kingdom; about which Dower, there is some difference betwixt the Duke of *Savoy* and the Duke of *Modena*, his Catholick Majesty acknowledging without any difficulty, that he oweth the same, and having intention to pay it to any of the said Dukes, to whom the propriety of the said Dower shall be adjudged by Justice, or by any particular convention or agreement made between them, it hath been concluded and agreed, That his said Catholick Majesty shall forthwith settle all things concerning the said Dower, in the same state they were, when the payment of the said Dower began to cease to be paid, upon the occasion of the taking up of Arms; That is to say, if at that time, the Monies of the said Dower were sequestred, they shall continue so still for the future until the differences betwixt the said Dukes be ended, either by a definitive Judgment of Justice, or by a mutual agreement between them: And if at the aforesaid time, the late Duke of *Modena* was in possession of enjoying the same Dower, and the Monies thereof not sequestred, his Majesty shall continue from this time, to pay unto the Duke of *Modena* his Son, both the Arrears that shall be found to be due for the

the time past; and what shall run for the future, of the revenew of the said Dower, yet defalking upon the Arrears all the enjoyment of it during the time the House of *Modena* hath been in Arms against the State of *Milan*. In that last case, shall, in the mean while, remain to the said Duke of *Savoy*, all reasons, actions and rights to prosecute the same in Justice, and cause it to be declared, to whom doth the propriety of the said Dower belong. After which Judgment or particular Convention, that may intervene between the said Dukes, his Catholick Majesty shall pay, without difficulty, the revenew of the said Dower, to such of them to whom the same shall be found to belong by a definitive sentence of Justice, or by an accommodation made between the said Dukes of *Savoy* and *Modena*.

LXXXIX. And because the said Lords and Kings have considered, that the differences of the other Princes their Friends and Adherents, have often drawn them, against their Wills, and the Kings their Predecessors, of glorious memory, to the taking up of Arms: Their Majesties desiring, as much as in them lies, to remove, by the present Peace, in all places, the least occasions of dissention, the better to secure the continuation thereof, and chiefly to settle the tranquility of *Italy* so often troubled by the particular differences happened between the Princes, who do possess any Dominions there; The two Lords and Kings have concluded and agreed, that they will jointly interpose, sincerely and pressingly, their Offices and Supplications towards our Holy Father the Pope, until they may have obtained of his Holiness that he might be pleased to cause the difference to be ended without delay, either by an agreement or by Justice, which the Duke of *Modena* hath had so long since, with the Apostolical Chamber, touching the Propriety and Possession of the Valleys of *Comacchio*: The said Kings and Lords hoping of the Sovereigne Equity of his Holiness, that he will not refuse the just satisfaction that shall be due to a Prince, whose Ancestors have so well deserved of the holy See, and who, in a most considerable Interest, hath hitherto consented to take even his own Adversary's parties for Judges.

C. The two Lords and Kings, upon the like consideration of plucking up the seeds of all differences, that might trouble the peace of *Italy*, have also concluded that they will jointly interpose, sincerely and pressingly, their Offices and Supplications towards our Holy Father the Pope, until they may have obtained of his Holiness, the grace which their Majesties have so often demanded of him singly, in the behalf of the Duke of *Parma*, that he may have power to discharge, at several convenient intervals of time, the debt he hath contracted to the Apostolical Chamber by like intervals; and that by that means, and with the engaging or alienating of part of his Dominions of *Castro* and *Roneiglione*, he may find such monies as are necessary unto him for the preservation of the rest of his Dominions. The which their Majesties do hope of the goodness of his Holiness; no less by the desire he will have to prevent all occasions of discord in *Christendom*, then by his disposition to favor a House so well meriting of the Holy Apostolical See.

CI. The said Lords and Kings judging that they can not better acknowledge towards God, the grace they have received of his meer Sovereigne bounty, who hath inspired them the desire, and opened them the means of reconciling themselves, and granting Peace unto their people, then by applying themselves, and endeavouring, with all their power, to procure and preserve the like tranquility unto all other Christian States, whose peace is either troubled,

or

or like to be suddenly altered; Their Majesties seeing, with a great grief, the present disposition of *Germany*, and of other Northern Countries, where the War is kindled, and may yet inflame the Empire, by the division of the Princes and States thereof, have concluded, agreed and resolved, to send without delay, their Ambassadors, or cause those they have already in the Empire, jointly to act for the managing, in their name, and by their interposition, a good and speedy accommodation, both of all differences that may trouble the Peace of the Empire, and of such, as some years since, have caused the War in the other parts of the North.

CII. And because informations have been had, that notwithstanding the accommodation made some years since, of the divisions happened then betwixt the *Cantons* of the Leagues of *Switzerland* Catholics and Protestants, there remains yet under the ashes, some sparks of that fire, that might if not wholly quenched, take fire again, and cause new troubles and dissensions betwixt those people allyed with both the Crowns; the two Lords and Kings have judged it necessary to apply themselves, on this part to the prevention of that danger, as much as in them shall lye, afore things grow worse: And therefore it hath been agreed and concluded between their Majesties, that they shall send, upon that occasion, some particular Ministers every one of them to the *Cantons* of his Alliance (unless they judge those they have there in ordinary to be sufficient for the end they have proposed unto themselves,) with orders, when they have exactly informed themselves of the motives and causes which have occasioned the misunderstanding and disunion of the said Nation, to meet and endeavor, joyntly and uniformly, to procure there a good concord, and cause all things there to return to the Peace, quietness and Fraternity, wherewith the said *Cantons* were wonted to live formerly: acquainting their Superiors with the satisfaction their Majesties will receive of it, because of the affection they bear to their States, and how much that establishment of union will be pleasing to them, because of the great desire they have for their welfare and publick tranquillity.

CIII. The differences hapned in the Countries of the *Grisons*, about the *Valtoline*, having several times obliged both the Kings and several other Princes to take up Arms; To avoid, lest for the future, they might alter the good intelligence of their Majesties, it hath been agreed, that within six months after the publication of the present Treaty, and after information had, on both sides, of the intention of the *Grisons*, touching the observation of the Treaties heretofore made, it shall be agreed, in an amicable way, between the two Crowns, of all the Interests they have in that affair: And that for that end each of the said Lords and Kings shall give sufficient power to treat of it, to such Ambassadors as he will send to the Court of the other after the publication of the Peace.

CIV. The Prince of *Monaco* shall be restored, without delay, into the peaceable possession of all the Goods, Rights and Revenues belonging unto him, and which he enjoyed afore the War, in the Kingdom of *Naples*, Dutchy of *Milan*, and other places of the obedience of his Catholic Majesty: with liberty to alienate the same as he shall please, by sale, donation, or otherwise: and shall not be troubled nor molested in the enjoyment thereof, for having put himself under the protection of the Crown of *France*, nor for any other subject or pretence whatsoever.

CV. It hath been likewise agreed and concluded, that his Catholick Majesty shall pay ready money to the Lady Duchesse of *Chevreuse* the sum of 55000 *Philippuses*, each of ten Reals, amounting to 165000 Livres *French* money: And that for the price of the Lands and Lordships of *Kerpin* and *Lommerstein*, with the Aids and Dependences of the said Lands, the said Duchesse had purchased of his Catholick Majesty, according to his said Majesties Letters Patents of the second of *June* 1646. Out of which Lands and Lordships, the said Lady hath since been turned by his Catholick Majesties Ministers, because of the present War: And his said Majesty hath disposed of them in the behalf of the Elector of *Cologne*: And shall the said Payment of 55000 *Philippuses*, each of ten Reals, be made by his said Catholick Majesty, unto the said Lady of *Chevreuse*, by the two Terms, the first within six months from the day and date of these Presents; and the rest six months after; so that in a years time they may have received the whole sum.

CVI. All Prisoners of War, of what Nation or condition soever, being detained on either side, shall be set at liberty, in paying their expences, and what they may otherwise owe; but without paying any ransom, unless they have agreed before otherwise: in which case the Treaties made by them afore this day, shall be executed according to their form and sense.

CVII. All other Prisoners and Subjects of the said Lords and Kings, who by the calamity of the Wars might happen to be detained in their Majesties Gallies, shall be speedily delivered and set at liberty, without any delay, for any cause or occasion whatsoever, and without demanding any thing for their Ransom, or for their Expences. As also, shall be set at liberty, after the same manner, all *French* Soldiers that shall be found to be detained prisoners in the places held by his Catholick Majesty upon the Coasts of *Africa*, without demanding of them, as aforesaid, any thing for their Ransom or Expences.

CVIII. Provided all the Premises be duly observed, it hath been concluded and agreed, That the Treaty made at *Fervins* in the Year 1568, is again confirmed and approved by the said Plenipotentiaries, in all its Points; as if the same was here inserted word for word; and without innovating any thing therein; nor in any of the other former Treaties, which shall remain in their full force, in whatsoever it is not derogated unto by this present Treaty.

CIX. And as touching the things contained in the aforesaid Treaty of 1598, and in a former made in the Year 1559. which have not been executed according to the tenor of the said Treaties, the execution shall be made and performed, in such things as are yet unperformed: And for that end Commissioners shall be appointed on both sides, within two months, with sufficient power to agree together; within the space that shall be mutually agreed on; concerning all things to be yet executed, either touching interests of of the said Lords and Kings, or the interests of the Commonalties and private persons, their Subjects, who shall have any thing to demand, or complaint to make on either side.

CX. The said Commissioners shall likewise have care, by virtue of their powers, to regulate the limits, as well between the Dominions and Countries that of old have belonged to the said Lords and Kings, about which there have been

been some debates, as between the Dominions and Lordships that are to remain to each of them, by the present Treaty, in the *Low Countries*. And particularly a separation shall be made by the said Commissioners of the Chastellenies and other Lands and Lordships that are to remain to the said Lord the most Christian King, from such Chastellenies, Lands and Lordships as are to remain to the said Lord the Catholick King; so that hereafter there may arise no dispute about the same, and that the Inhabitants and Subjects on both sides might not be disturbed. And in case they cannot agree touching the contents of the present Article, and of the next foregoing, Arbitrators shall be appointed by common consent, who shall take consule of whatsoever shall remain undecided between the said Commissioners: And the Judgments that shall be rendred by the said Arbitrators, shall be executed on both sides without any delay or difficulty.

CXL. For the satisfaction and payment of what may be due on both sides for the ransom of the prisoners of war, and for such expences as they may have made during their prison, since the beginning of the war until the day of the present Peace, in conformity to the Treaties made for the exchanging of the said prisoners, and namely that of 1646, made at *Soissons*, the Marquis of *Cassel Rodrigo* being Governor of the *Low Countries*, it hath been concluded and agreed, that the expences of such prisoners as have been already released, or are to be released without ransom by virtue of the present Peace, shall be presently paid, ready money on both sides; and that as to the other prisoners that have been released by virtue of the particular Treaties of Exchange made during the War, and afore the present Treaty, Commissioners shall be appointed on both sides, within a Month of the Exchange of the Ratifications of the present Treaty, who shall meet at such place as shall be agreed on, towards *Flanders*, whither also the Accounts concerning the prisoners made in the Kingdom of *Naples* and *Sicily*, and their dependences in the State of *Milan* and in *Piedmont*, in the Principality of *Catalonia*, and in the Counties of *Roussillon* and *Cerdana*, and other places of *Spain*, besides what concerns the Frontiers between *France* and the *Low-Countries*, shall be carried; and the said Accounts being stated by them, both for their expences for Diet, and for this ransom, after the manner practised upon other Treaties of that nature, the Lord and King who shall be found Debtor to the other, by the stating of the said Accounts, doth oblige himself to pay ready monies, *bonâ fide*, and without delay, unto the other of the said Lords and Kings, the sums of money whereof he shall remain debtor to him, for the expences and ransoms of the said prisoners at War.

CXLII. As it might well happen that the particular persons interested on both sides, in the restitution of the goods, into the propriety and enjoyment whereof they ought to re-enter, by virtue of the present Treaty, should find under divers pretences, difficulties and resistance in their re-establishment by such as are now in possession of the said goods; or that any other obstructions should arise in the full execution of the Premises, it hath been concluded and agreed, that the said Lords and Kings shall appoint each of them one of their Ministers to repair to the Court of the other, and other places if need be, to the end that hearing jointly, at the place where the said Ministers shall meet, such persons as shall apply themselves unto them about those affairs, and taking consule of the contents of the Articles of the Treaty, and of what

the said Parties shall offer unto them, they might Declare together unanimously, briefly and summarily, without any other formality of Justice, what ought to be executed, issuing thereupon the necessary Act and Instrument of their Declaration, which Act shall be performed without admitting or leaving any room to any contradiction or reply.

CXIII. The execution of the present Peace, in what regardeth the restitution and surrendering of the places which the said Lords and Kings are to restore and put in the hands one of the other respectively, or of their Allies, by virtue of, and in conformity to this Treaty, shall be made at the time, and after the following manner.

CXIV. First, without staying for the exchange of the Ratifications of the present Treaty, to the end the Forces which make up the Army of the most Christian King, and the Garrisons of the places he holdeth in Italy, might repass the *Alpes* afore the Ice doth shut up the passages, both the said Plenipotentiaries have concluded and agreed, That they take upon themselves to have the Orders of their Majesties respectively forthwith sent by Expresses unto the Duke of *Naxilles*, & the Count of *Furnfeldagus*, as also to the Marquis of *Caraceni*, for what concerneth him, to make, upon the 30th. of the instant *November*, the following Restitutions, &c. Upon that day shall be restored by the Lord the most Christian King unto his Catholick Majesty, the places of *Valence* upon the *Bo*, and of *Miriana* in the State of *Milans*: As likewise upon the same 30th. day of *November*, shall be restored by the Lord the Catholick King unto the Duke of *Savoy*, the place and Citadel of *Verceil* in *Piedmont*; and towards the low Counties, unto his most Christian Majesty, the place of *Casale*; the said Lords and Plenipotentiaries having taken upon themselves, by virtue of the particular Orders they have of their Majesties for that purpose, the punctual execution of that Article, afore the exchange of the Ratifications of the present Treaty, as aforesaid.

CXV. The exchange of the Ratifications being made within the day that hereafter shall be named, on the 27th. day of *December*, of this present year, shall be restored by the said Lord the most Christian King, unto his Catholick Majesty, the places of *Oudnard*, *Marville*, *Moussy*, and *Comier* upon the River *Lys*, *Dixmude* and *Furns*, with the Posts of *La Fuisse* and *La Quenoye*. As also, upon the same 27th. day of *December*, shall be restored by the said Lord the Catholick King, unto his most Christian Majesty, the places of *Retroy* and *Linchamp*.

CXVI. Eight days after, which will be the 4th. of *January*, of the next year 1660 shall be restored by the said Lord the most Christian King, unto his Catholick Majesty, the places of *Tyre*, *La Bassée*, *Borgh St. Wyeux*, and the Fort Royal thereof; and all the Posts, Towns, and Castles, taken by the French Arms in the Principality of *Catalonia*, except *Roset*, Fort of the *Trinity*, and Cape *De Quier*: As likewise upon the same 4th. day of *January*, shall be restored by the said Lord the Catholick King, and put unto the hands and in the power of his most Christian Majesty, the places of *Hesdin*, *Philippville*, and *Marianbourg*.

CXVII. After the Prince of *Condé* hath rendered his respects to the most Christian King, his Sovereign Lord, and is seized again into the Honours of his Grace, the places of *Comair* and *Poliers* shall be by the Lord the Catholick King, put into the hands and in the power of his most Christian Majesty, and of the Duke of *Naxbourg*. And the same day, the said Lord the most Christian King shall restore unto his Catholick Majesty, the Posts, Towns, Forts, and Castles taken by the

French in the County of *Burgundy*, after the manner, and at the time more particularly agreed upon by their said Majesties.

CXVIII. Upon supposition and condition that the said Commissioners, that are to be appointed to declare the places that ought to belong to each of the said Lords and Kings, in the Counties and Vigueries of *Conflans*, and *Cerdania*, shall have before concluded and unanimously made the declaration that is to regulate for the future the Limits of both Kingdoms: As also, when all the aforesaid restitutions are made and punctually performed, his most Christian Majesty shall restore upon the 5th. of May of the next year 1660. unto his Catholick Majesty, the places and Posts of *Roset*, the Fort of the *Trinity* and *Cap de Quiers*, upon the conditions more particularly agreed on by their Majesties.

CXIX. It hath likewise been concluded and agreed, that in the Exchange that shall be made of *La Bassée* and *Berg St. Wynox*, and its Royal Fort, with *Philippeville* and *Mariembourg*, there shall be left in the said places as much Artillery, both in number, and of the same weight and quality, as well in the one as in the other, as also as much Ammunition of War of all sorts, and Victuals, as the Commissioners appointed on both sides shall agree *bona fide*, and shall see it performed: So that what shall be found over and above, as well in the one as in the other, may be taken out of the said places, and transported any where else, where the Lord and King shall please, to whom that greater quantity of the things aforesaid shall be found to belong.

CXX. Their said Majesties have likewise concluded, agreed, resolved and promised, upon their Royal Word, to send, each on their part, their Orders to the Generals of their Armies, or Governors of their Arms and Countries, to have them give their assistance for the execution of the said respective Restitutions of places upon the certain days before prefixed, advising together, *bona fide*, about the means and all other things that may regard the faithful execution of what hath been promised and agreed between their said Majesties, after the manner, and at the time aforesaid.

CXXI. The Duke *Charles* of *Lorraine* accepting, as to what concerns him, this present Peace, upon the conditions afore stipulated between the said Lords and Kings, and not otherwise, his most Christian Majesty shall re-establish within four months, from the day of exchanging of the Ratifications of the present Treaty, the said Duke into the Dominions, Lands and places expressed before, except such as are to remain to his most Christian Majesty, in Propriety and Sovereignty, by the said present Treaty: Provided, the said Duke, afore his re-establishment, besides his accepting of the Conditions that concern him in the present Peace, doth furnish unto his most Christian Majesty, and at his satisfaction, all the several Acts and Obligations, he is to put into his hands, according to this Treaty, and after the manner specified and stipulated before.

CXXII. Besides the Duke of *Savoy*, the Duke of *Modena*, and the Prince of *Menaco*, who, as Allies of *France*, are of the chiefest Contractions in this Treaty, as aforesaid, by the common consent of the said Lords the most Christian & Catholick, shall be comprehended in this Peace and Alliance, if they will be comprehended therein; on his most Christian Majesties part, first, Our Holy Father the Pope, the Holy Apostolical See, the Electors & other Princes of the Empire, Allies and Confederates with his Majesty for the maintaining of the Peace of *Munster*, viz. the three Electors of *Mentz*, *Cologne*, and the Count Palatine of the *Rhine*, the Duke of *Neuburg*, the Dukes *Augustus*, *Christianus*, *Lewis*, and *George*

William

William of Brunswick and Lunenburg, the Landgrave of Hesse-Cassel, and the Landgrave of Darmstadt, the Duke and the Seignior of Venice, and the Thirteen Cantons of the League of Switzerland, and their Allies and Confederates, & all other Kings, Potentates, Princes and States, Towns and particular persons, to whom his most Christian Majesty, upon a decent requisition made by them for it, will grant on his part, to be comprehended in this Treaty, and will name them, within a year after the publication of the Peace, unto his Catholick Majesty by a particular Declaration, to enjoy the benefit of the said Peace, both by the aforementioned, and by such as his Majesty shall name within the said time. Their Majesties giving their Declaratory and Obligatory Letters, required in such case respectively; and the whole with an express Declaration, that the said Catholick King shall not have power, directly, nor indirectly to molest, by himself, or by others, any of those who on the said Lord the most Christian Kings part, have been above, or hereafter shall be comprehended by a particular Declaration; And that if the Lord the Catholick King hath any pretensions against him, he shall only have power to prosecute him by right, before competent Judges, and not by force, in what manner soever it may be.

CXXIII. And on the said Lord the Catholick Kings part, shall be comprehended in this Treaty (if they will therein be comprehended) our Holy Father the Pope, the Apostolical See, the Emperor of the Romans, all the Archdukes of Austria, and all the Kings, Princes, Republicks, States and particular Persons, who, as Allies of this Crown, were named in the Treaty of Peace made at *Vervins*, 1598. and who shall have preserved, and do at this day preserve themselves in that Alliance. To whom are added now the United Provinces of the Low Countries, and the Duke of *Guassale*; as also, shall be comprehended all such others, as by common consent of the said Lords and Kings, shall be named within a year after the Publication of the present Treaty, to whom, as also to the aforementioned, if they desire it in particular, Letters of Nomination respectively Obligatory shall be given to enjoy the benefit of the said Peace, & with express Declaration, *That the said Lord, the most Christian King, shall not have Power directly nor indirectly, by himself, or by others, to molest any of them; And if he hath any pretensions against them, he shall have power only to prosecute them by Right before competent Judges, and not by Force.*

CXXIV. And for greater security of this Treaty of Peace, and of all the points and Articles therein containd; the said Treaty shall be Published, Verified and Registered in the Court of the Parliament of *Paris*, and in all the other Parliaments of the Kingdom of *France*, and in the Chamber of Accounts in the said *Paris*. As likewise the said Treaty shall be Verified, Published and Registered as well in the Grand Council, and other Councils, and chambers of Accounts of the said Lord the Catholick King, in the Low Countries, as in the other Councils of the Crowns of *Castile* and *Aragon*, according unto, and after the manner contained in the Treaty of *Vervins*, of the year 1598. whereof the Expeditions shall be delivered on both sides within three Moneths after the Publication of the present Treaty.

Which Points and Articles before set down, together with the whole Contents of any of them, have been Treated, Granted, Passed and Stipulated between the aforesaid Plenipotentiaries of the said Lords, the most Christian and Catholick King, in the name of their Majesties. Which Plenipotentiaries, by virtue of their Power, the Copies whereof are inserted at the bottom of this present

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Treaty, have promised and do promise under the Obligation of all and every the Goods and Estates, present or to come of the Kings their Majesties, That the same shall be by their Majesties Inviolably observed and performed, and to cause them to Ratifie the same merely and fully, without adding any thing thereunto, and to give and deliver Reciprocally one to the other, Authentical and sealed Letters, wherein the whole present Treaty shall be word for word inserted, and that within 30 days from the day and date of these presents, and sooner if it may be. Besides, the said Plenipotentiaries have promised, and do promise, in the Names aforesaid, That the said Letters of Ratification, being exchanged and furnished, the said most Christian King, as soon as it may be, and in the presence of such person or persons as the said Lord the Catholick King shall be pleased to appoint, shall Solemnly Swear upon the Cross, the holy Evangelists, the Canons of the Mass, and upon his Honour, to observe and perform Fully, Really, and *Bona fide*, the whole Contents of the Articles of the present Treaty. And the like shall be done also, as soon as possibly may be, by the said Lord the Catholick King, in the presence of such person or persons as the said Lord the most Christian King shall be pleased to appoint. In witness whereof the said Plenipotentiaries have subscribed the present Treaty with their Names, and set the Seals of their Coat of Arms thereunto.

We, having the aforesaid Treaty acceptable, in all and every the Points, and Articles therein contained and declared, have, both for us, and for our Heirs, Successors, Kingdoms, Countries, Lands, Lordships and Subjects, Accepted, Approved, Ratified and Confirmed, and do Accept, Approve, Ratifie and Confirm the same, and do promise, in the Faith and Word of a King, and under the Obligation and Engagement of all and every our goods, present and to come, Inviolably to Keep, Observe, and Maintain the whole, without ever doing any thing contrary thereunto, Directly, nor Indirectly, in what sort and manner soever. In Witness whereof, We have signed these Presents with our Hand, and thereunto caused our Seal to be set and apposed. Given at *Toulouse* the four and twentieth of November, 1659. and of our Reign the Seventeenth.

FINIS.